The Naked Truth.

The Second Part.

In Several INQUIRIES

Concerning the

CANONS

AND

Ecclesiastical Jurisdiction; Canonical Obedience, Convocations, Procurations, Synodals and Visitations;

ALSO OF THE

Church of England,

AND

Church-wardens.

AND

The Oath of Church-wardens.

AND OF

SACRILEDGE.

The Second Edition Corrected and Amended.

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Bernard. lib. 2. de Consideratione.

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The Oath of Church-wardens

AND OF

SACRAMENTS.

THE EPISTLE TO THE READERS.

Courteous Reader,

NO man does more Reverence *Good Bishops than my self, nor does any more* less dread *them with a* slavish *fear: I* admire *them at my distance, but I do not* Idolize *them; I* honour *them, but I do not fall down and* worship *them; I can say* ——My Lord, *and (yet not add)* ——My God.

Nor will you find in this ensuing Inquiry, the least Tang of Bitterness *or yellow Choler; No, not so much as an* Austere *or harsh Expression, being so far from justly* disgusting *any, that I shall not so much as* set their Teeth on Edge; *so insipid and simple an humour have I therein all along through this whole Discourse, (for fear of any* Satyrical *sharpness) that I doubt you will scarce find any* Salt, Savour *or* Smarty Relish *here, to smell scarce like the* Tongue *of a Sinner.*

Prov. 17. 27.

Solomon *says, That* men of understanding are of excellent Spirits (*To render the words literally from the Original*) Men of understanding are long-nos'd; מארך אפים which the Septuagint *Translate* μακροθυμος, (*that is*) *A man of understanding is* Long-breathed, (*metaphorically put for*) Patient; *His heart is* not near *his mouth, he is* not easily Provoked; *and therefore wise men will neither shew their* Wit *nor* Grace, *to be angry* (without a cause, *without a* good and honest *cause*) *as what is here Writ: Let us rather say,* (*with that Good* German Emperor) *We ought to be angry with our Sins, not with our Friends that tell us of them.*

Yet I cannot say, (*in truth*) *that I have* concealed my name *because I have no skill nor strength to bear* good and evil report *with Equanimity.*

For I bless Almighty God, that as his Providence has exercised me, with both, *so he shall me I hope; for I have found by long and large experience, His strength in my weakness, that I can say without vain boasting, I walk* (without much concern) *by Honour and Dishonour, by evil Report and good Report.*

Nor is it because I am afraid *or* ashamed *at any thing here writ, that I thus appear in the public Stage in* Masquerade, *in such Disguise to walk* Incognito.

But, the Subject (*of my Inquiries*) *leads me necessarily, to rake in a* Nest of Wasps *and* Hornets, (*generally by nature, more enraged by Interest*) *than to be disturbed of a warm sun; and therefore would certainly* buzze *about my Ears, if I were not thus* muffled *and Hooded up.*

Yet I hope I have here disarmed them of their Weapons, by taking the Sting *out of their Tails, (at least) the Venom, that though they may yet make a* Humming Noise, *yet they shall be as* Stingless *as Drones.*

Besides, I am neither of the Race of the Decii, *nor of the* Curtii, *to sacrifice all my quiet to the Publick Good in this thankless Age, wherein many men are of so* currish *a disposition, and so used to the* Collar *about their Necks, that they are ready to* snap *at those Fingers that would* pull it off.

For however, (in short) what wise man would be content to be a Butt, *to be shot at, though Armed Cap-a-pee with Armour of Proof?*

This inconvenience (if not worse) of allowing to the Press this Liberty, (*so natural and agreeable to our* English *Complexion and Constitution, and the* Common-mother *of the* Natural Truth, *which is usually* begot *between this handsome* Pro *and* Con) *cannot possibly equal that of making a* Monopoly of the Press; *taking in the* Common, *and confining it to a certain Set of men that would seem to keep the Key of Knowledge and the Press, and they* neither enter in themselves, and they that would enter in, they hinder; *like* surly Porters, *that usually keep out better men than they let in.*

Magistrates and good Bishops should say with St. Paul, *We can do nothing* against the Truth, 2 Cor. 13. 8.
but for the Truth: ου δυναμεθα, (*that is*) We have no power (*as the Original imports*) *to do any thing against the Truth, but for the Truth.*

Nor have all the Bishops in England any power over us, (*although they had as lawful a Commission for their Spiritual Courts and Jurisdiction as once they had*) *more than St.* Paul *had over those* Corinthians, *which he confesses in the Tenth Verse, was for* Edification, *not for* Destruction. 2 Cor. 13. 10.

A good Magistrate may do a man good, so may a good Bishop, but neither of them have power, any lawful Power, *given them to do harm or wrong.*

And if they chance to find me out notwithstanding my Disguise, I'le answer for every tittle here declared; with the words of our Blessed Redeemer———If I have spoken Evil, bear witness of the Evil, but if Well, Why smitest thou me?

And I am sure, what is here prest-upled, has no design in the world, but power, (*in all* Humility *and* Love to Truth) *the Publick-weal; And if in any thing I be mistaken, my* Errors *shall never be* Heresies, *none shall* (*upon a rational Conviction*) *more readily and willingly retract them than my self.*

1 Tim. 6. 17. *One would wonder a little at first at that Passage,* 1 Tim. 6. 17. *where the Apostle* gives the Charge to Rich men, *that they be* not high-minded, *since* Poor and Proud *is true to a Proverb.*

The Latines by one and the same word expresse a man humble *in mind, and* humbled *with afflictions, they call so near a Kin; and the way, God usually takes to make a man* humble, *is to* humble him, (*as he did* Nebuchadnezzar) *by afflictions.*

For Prosperity puffeth up *and* swells *a man naturally; and if through Grace a Rich man be not high-minded, he had need keep a constant* Watch and Ward *over his mind, for* height *will* tempt *his* mind *to be* high-minded *and proud, as* Lucifer.

Thus have I seen a man stretch *and stand on* tip-toe, *and* stalk *in High-Shoes upon a Church-Steeple, and look with scorn on all* below; *and yet, if he had stood* on even ground *and* measured fair *with those Inferiors he* despis'd (as Pigmies,) *he would not be able to* reach their heads.

In climbing (*Masons and Carpenters well observe*) *whilst men* look upwards, *they cannot be* giddy crown'd, *vertiginous and turn-sick; but if they* look down, *'tis odds but their* Brains turn round, *till they fall.*

'Tis most true in Morals *and in* Divinity; *whilst men though never so high-minded look* upwards still *to Heaven, they'l say with King* David, *in all humility*——I am a worm and no man——

The Contemplation of the Vastness and Glory of Heaven (as Cicero *observes in* Somnio Scipionis) *will make them best see what a pitiful* Spot (*in comparison*) *the* whole Globe *of the Earth is, and the glory of it; and much more with humble Eyes reflect upon their own pitiful* punyships.

But if they are always looking downwards *upon the* many *under them, their Brains usually* Crawl *with scorn, pride and disdain, and* turning Giddy *they forget themselves, till they* catch a fall, *if not their Neck.*

And though they may pride themselves *and* strut *in their* High-Shoes, *and take delight in* exposing *their Inferiors (whom they ought to protect) to* contempt *and scorn; or* for sport *suffer them to be baited by Dogs, and perhaps cry,* Hollou; *'Tis ten to one, but they meet at some time or other with so Rugged a Repartee, as to make them sick of such* Unchristian Games, *and sometimes, to their shame, expose also the* knotty side *of their own gay Arras, and prove that* all is not Gold that glisters.

Popery *and* Mahometism *were born both in* one *and* the same *Century, and had* one and the same *Midwife, namely,* Ignorance or Barbarism.

Truth and the Press would stifle them both, *and the* Turk *knows it as well, and therefore Politickly prohibits Printing: so also doth the* Pope *prohibit* (*what he can*) *all Printing, but what passes with his own* Imprimatur's; *and some others also would have the Press as the* same lock, *and they alone to keep the* Key.

And thus whilst men hear but of one Ear, *and from one Mouth, they are kept in ignorance, and seldom grow wiser than the* Pope and Conclave, *that Excommunicated* Galileo (*I think it was*) *for holding the Motion of the Earth.*

For Errors and Superstition, Tyranny *and Oppression* (*like* Owls, *and all other works of darkness*) *hate the light, and cannot endure to be seen* by day-light; *whereas the* Naked Truth seeks no Corners; *is* bare *indeed, but is* not (*nor needs not to be*) ashamed.

Lording over Gods Heritage, κατακυριευοντες των κληρων, Dominantes Cleris, 1 Pet. 5. 3. *Domineering over Gods People, was never the mind of Christ, nor St.* Peter; *nor had ever any Bishops any such lawful Commission, (even when the High-Commission-Courts were up, wherein alone they had Authority and Jurisdiction Ecclesiastical)* to Lord it over Gods Heritage.

No, no; It is the Reliques of the Luciferian Pride *of that* Grand Impostor, *that ridiculously stiles himself*——*The* Successor *of St.* Peter, *yet imitates him in nothing, but in* denying his Master; *that sets his insulting Toe upon the Necks of Kings and Emperors, enslaves mens Bodies and Estates, as well as Souls, wheresoever he can dominier: 'Tis this Prelatical Pride, this* Exercising Dominion, like the Princes of the Gentiles, *which is here condemned; and is but a* Brat *of Popery, wheresoever the* Changeling *is found, and which our Blessed Saviour would banish from amongst his Clergy,* Luke 22. 25. It shall not be so amongst you.

Luke 22. 24.

But say some, It shall be so though, *let Christ and Laws, let* God and Man *say what they will; at least, some men would* practise it *still, which is worse than* saying *so; but* Rome was not built (*nor cannot be destroyed*) in one day.

THE

THE
Naked Truth.

The Second Part.

THE Bishops and Convocation held at *London Anno Dom.* 1552. in the Reign of King *Edward* VI. whereof many of them were *Martyrs* at their Death, as well as (the first) *Reformers* in their life-time, in their Articles (now usually called, *The Articles of the Church of England*) the 19, 20, 21. I meet with very remarkable Passages to begin this Discourse.

ARTICLE 19.

Ecclesia Christi visibilis est cœtus fidelium, in quo verbum, &c. 'The visible Church of Christ, 'is a Congregation of faithful men, in which the pure Word of God is Preached, 'and the Sacraments be duly Administred according to Christs Ordinance, in all those things 'that of necessity are requisite to the same. (*Where note by the way, that a Parish Church may be the right Church of Christ by this Definition.*)

'As the Church of *Jerusalem*, of *Alexandria*, and of *Antioch* hath Erred, so also the 'Church of *Rome* hath Erred, not only in their living, but also in matters of Faith.

ARTICLE 20.

'IT is not Lawful for the Church to Ordain any thing that is contrary to Gods Word 'written, neither may it so expound one place of Scripture, that it be repugnant to 'another, wherefore although the Church be a Witness and Keeper of holy Writ, yet as 'it ought not to Decree any thing against the same, so beside the same ought not to enforce 'any thing to be believed, for necessity of Salvation.

ARTICLE 21.

'GEneral Councils may not be gathered together without the Commandment and 'Will of Princes. And when they be gathered (forasmuch as they be an Assembly 'of men whereof all be not Governed with the Spirit and Word of God) they may 'Err, and sometimes have Erred, not only in worldly matters, but also in things pertain-'ing unto God. Wherefore things Ordained by them as necessary to Salvation, have nei-'ther strength nor Authority, unless it may be declared that they be taken out of the holy 'Scripture.

Whence it is evident, that by the *Articles* of the Church of *England*, *men*, the *best* of them, are *subject to Error*, which if true, (and very few except the *Pope*, and *Papists* do deny) Then with what Front can any *Synod* or *Assembly* of men Anathematize, and Damn, and by Excommunication *deliver* to the Devil, all that obey not *their Canons* and *Decrees*, except those Decrees be evident from the plain and undisputed sense of Holy Scriptures?

For if it be acknowledged, that they may be in the *error*, then others that they condemn may be in the *right*, and *owned* by God, though *disowned* by frail men.

The Popes, (whereof their own Writers say) some have been *Arrians*, and denyed the Divinity of Christ, as Pope *Liberius*; some Idolaters, as *Marcellinus*; some Atheists, as *Alexander* VI. and *Leo* X. that said

Quam quantum fabulæ nobis hæc fabula Christi?

and *Sextus* IV. that built a Male Stew, for Sodomy: some Conjurers and Socerers, as *Martin* II. *Silvester* II. *John* XII. *John* XIX. *John* XXI. *Silvester* III. *Benedict* VIII. *Sergius* IV. *Gregory* VI. and many others, which see at large in the lives of the Popes, writ by one of their own Secretaries, *Platina*. *Platina, de vit. Pap.*

But I love not to rake in this foul, nor had I mentioned it here, but as necessary to my design in shewing first, all men are Erroneous, none Infallible: no, not the Pope himself, as tho'

* Teſt. Rhem. Annot. Mat. 23. 2.

the * *Rhemiſts* vainly vaunt and ſuppoſe. And ſo ſays *a Coſterus* the Jeſuite; and alſo *b Didacus Stella*, *Suarez*, *Stapleton*, and many others, and indeed the whole Fabrick of their ſtrange Religion is built on this rotten foundation. Whereas the Church of *Jeruſalem*, on whom the Holy Ghoſt deſcended, chang'd their Opinions if not their Canons, concerning the obſervation of Circumciſion, and the *Moſaical Ceremonies*: for *Acts* 15. they *required not* thoſe Ceremonies: but *Acts* 21. they *did require* them; nay, St. *Peter* himſelf would not eat with an uncircumciſed Chriſtian, *Gal.* 2. if a Jew was preſent; notwithſtanding he was one that made the Canon to the contrary, *Acts* 10. and St. *Paul* that reprov'd his inconſtancy, *Gal.* 2. and would not Circumcile *Titus*, yet had *Timothy* Circumciſed, *Acts* 21.

a Eschir. Conc. cap. 3. de Sum. Pont. b Stella in Luc. cap. 9.

Acts 15. Gal. 2. Acts 21.

If the Pillars of the Church warp, can we think any other Canon-makers of the Church are infallible, ſo that we muſt believe all they Decree in ſpight of our Teeth, or elſe by Excommunication——*Take him Devil*; and forty days after——*Take him Jupiter*?

This is, like the *Abſolutes*, that acknowledge no Chriſtians but themſelves, and the Greek Church; or like the *Donatiſts*, that confined the Church of Chriſt to themſelves, at leaſt within the bounds of *Africa*; which was a larger extent than was afforded by the *Family of Love*, and many of our *Sectaries*: whoſe Opinions in this kind are derived from *Rome*, like that of Pope *Agatho* I. That commanded that all the Popes Decrees ſhould be taken for the Oracles of God, and as true, as if pronounced by the Mouth of God, though *contrary to Holy Writ*.

Gratian. Diſt. 16.

Thus the Council of *Trent* Decreed, that the Church (that is) themſelves, had power to change the Sacraments: And the Council of *Conſtance* did change the Inſtitution of the Lord's Supper, by Robbing the Laity of the Cup with a *non obſtante* to Chriſts command.

Conc. Trident. Seſſ. 3. Can. 2.

But now henceforth (this being premiſed) I'le keep to our own Canons and Canon-makers; of which,

Quer. I.

Whether Eccleſiaſtical Canons (not yet the Stamp of Legislative power (or Acts of Parliament) be of binding and of force to an Engliſh-Proteſtant?

Miſchief of Separation.

And this Query was occaſioned by a late Diſcourſe, or Sermon, *Preached by the Reverend* Doctor *Stilling fleet*, *May* 2. 1680. at *Guild-hall*, upon that Text *Phil.* 3. 16. Whence he exhorts (in the words of his Text) his Auditory to walk by the ſame Rule or Canon, τῷ αὐτῷ κανόνι, yet *Canon* is not found in ſome Greek Copies, (as one has, in anſwer to the Doctor, already very ingeniouſly obſerved.)

Miſchief of Impoſition.

But the accurate Mr. *Baxter* very pertinently, in a Letter to the Doctor, gave him upon declaring, what is *the Same Rule or Canon*, and who is the *Rule-maker*, (which ſhould be very neceſſary, and one of the *firſt things*, in a *Sermon*, for which ſhould not have any pertinent or rational Diſcourſe:) for if no certain Rule or Canon be acquieſced upon, it is impoſſible to know when we ſtraggle, and walk diſorderly, deviate and err.

And alſo if Preachers exhort (as they uſually) to walk by the *ſame Rule*, and yet do not declare what that ſame Rule is, and who is the *Rule-maker*, the Canon-maker, or Law-maker, they had as good ſay nothing at all.

But the wary Doctor, waves the anſwer to Mr. *Baxter*, and either would not, or durſt not declare what is the *Canon*, and the Rule; and *Who* are the Rule, or Law-makers, (moſtly ſuppoſing that his Auditory knew not him upon the Lawn-ſleeves.)

For it had been dangerous for a Proteſtant Doctor to declare the King and Parliament to be the only Lawful Rule, and Canon-makers.

But on the other hand, if the Doctor had declared againſt the *Popes* and *Synod* (who ſtil'd themſelves the *governing Church*, and no man, in point of Excommunication, to dare to derogate from their Authority) poſſibly he might fear to come off *Scot and Lot* and Much of the Biſhops Canons, or leaſt he might not be ſuffered to ſay, or *d'd* the *Fellows of Eaton*, and the *Preacher*, that we *ſhould* do, but *ſhould* not.

Can. 139, 140, 141. Anno 1603.

But no *grave-ends* ought to frame any man, or *Miniſter* from ſpeaking our plain ſuch a neceſſary Truth, for want of aſſerting this Query. What in truth? What is the Canon? the Rule, *that ſame Law*, or *Canon* we ſay all *ſhould walk by the ſame thing?*

For, *if the Trumpet give an uncertain ſound*, (an unſtiffe ſound) *who ſhall prepare himſelf to the Battle?* 1 Cor. 14. 8.

1 Cor. 14. 8.

If one Clergy-man *ſounds a Retreat*, whileſt others ſound *Boots and Saddles*——*To Horſe*, *To Horſe*; into what confuſions will the diſtracted people run? and no wonder.

For certainly this is the great cauſe of our Diviſions, not to be remedied (at leaſt not till) agreed among our ſelves and) till we walk after the ſame Rule.

For *uniformity in Religion* ought to be the endeavour as well as Prayer of all true Chriſtians, that all of us may, *with one mind and one mouth*, (100) *glorifie God, even the Father of our Lord Jeſus Chriſt*. Rom. 15. 6.

Rom. 15. 6.

But

But how is this possible, or that Christians should speak the same things, and walk by the same Rule, when this Rule is not agreed upon, no, nor (as aforesaid) among our selves?

For if the Acts of Parliament (the universally *confessed Laws* of *England*, even in *Religion*) be the Rule or Canon, and the *King and Parliament* the *only* Law-makers or Canon-makers (as who dare deny, (now that the Popes Hierarchical Head is cut off) without incurring a *Præmunire*) and that can, and (being *the only Representatives* of the People of *England*) alone ought to make *Acts of uniformity* in Religion, and of all other things especially to have a care of Religion, and a *watchful eye over* Religious men; Then how comes *the Convocation* to call themselves the *Representative Church of* England? and thunder out Excommunication, which (with them) is eternal Damnation, if men die before they recant and publickly repent their wicked Error, in thinking to the contrary? Can. 139, 140, 141. 12. 14. 64.

And ask any of the Convocation at this day, if they also do not look upon themselves (and value themselves) as the Representative Church of *England*, and they will not surely deny it; For if they be not that, what are they?

But though those that made the *Canons* in 1603. might in some sense be called the Representative Church of *England*, and so also were that *Synod* of *London* that made the Canons *Anno Dom.* 1640. which are commonly called the *Lambeth Canons*, and are Damn'd already, as I'le demonstrate beyond all contradiction, if any dare deny so great and evident a Truth.

Yet the Synods and Convocation now adays, have not the Authority they had, they are scarce the shadows of those Synods, and yet the *Authority also of those Synods* in 1603 and 1640. and all they did is *now abrogated* and taken away by Acts of Parliament, and their very Beings annihilated, and made of no force, power, strength, nor virtue; as I shall shew hereafter, much more, the Synods and Convocations at this day, who are so far from being the Representative Church of *England*, that the *people of England* have not the *least voice* or suffrage in their Election; they have not any *hand* (I had almost said nor *knee* neither) in the choice, I am sure nor *mind* in it, I mean, their advice is not ask about it.

Nor indeed (as I shall prove hereafter) are these Synods *fairly Elected by the voice* and suffrages of the *Clergy*, the Inferiour Clergy; and so also are not so much as the *Representatives of the Clergy*.

For though the Generality of the people heed them not so much, yet they look upon the Inferiour Clergy to be at their Beck, and *still* within *shew Clutches*.

And to that purpose, to make them *stoop* and *cringe* to be ridden, and to bear (like *Issachar*) all the *burdens* they impose, without daring to kick them off; they *muzzle them*, before they *bait them*, with an *&c. Oath* (in the 6th Can of 1640.) *of Canonical obedience*; which if they had not a good *Swallow* would *stick* them in the going down.

But (finally my Babe of Grace) forbear,
Circulus Poetæ.
Or will be to far to Sweer;
For us, (to speak in a familiar Stile)
A Yorkshire Woolen longer than a Mile.

This pretty *&c. Oath of obedience Canonical*, is in these words, Can. 6. of 1640.

I A. B. *Do Swear, That I do approve the Doctrine, and Discipline, and Government established in the Church of England, as containing all things necessary to Salvation: And that I will not endeavour by my self, or any other, directly or indirectly, to bring in any Popish Doctrine, contrary to that which is so established, nor will I ever give my consent to alter the Government of this Church; by Arch-Bishops, Bishops, Deans and Arch-Deacons, &c. as it stands now established, and as by right it ought to stand, nor yet ever to subject it to the Usurpations and Superstitions of the See of* Rome: *And all these things I do plainly and sincerely acknowledge and Swear, according to the plain and common sense and understanding of the same words, without any Equivocation, or mental evasion, or secret reservation whatsoever. And this I do heartily, willingly, and truly, upon the Faith of a Christian. So help me God in Jesus Christ.*

And if any man Beneficed or Dignified in the Church of *England*, or any other Ecclesiastical person shall refuse this (*&c.*) *Oath*, the Bishop shall give him a *Month* time to inform himself, and at the Months end, if he refuse to take it, he shall be suspended *ab officio*, and have a *second Month* granted, and if then he refuse to take it, he shall be Suspended *ab officio & beneficio*, and have a *third Month* granted him for his better information; but if at the end of that Month he refuse to take the Oath aforenamed, he shall be *deprived of all* his Ecclesiastical Promotions whatsoever, and execution of his Function which he hath in the Church of *England*.

Solomon says, The *mercies of the wicked are cruel*; but whether the *hypocrisie* or the *impudence*; the *ignorance* or the *audaciousness* be greater, for men at this day *to dare* to put those Prov. 12. 10.

Canons

Canons in execution, and to *Query* them, and give them in charge, as Rules, and Canons, and Laws to the present Clergy, when they are condemned by 17 *Car.* 1. 11. and also by 13 *Car.* 2. 12. Query, What Penalty they do incur that *dare set up* Laws in Defiance of the Statutes of this Realm, to enthral the Kings Liege People?

For both Laity and Clergy are in a fine *Dilemma* at this wicked rate.

Since that whosoever denies the King and Parliament to be *the only* Legislators, or affirms that the ancient Hierarchy of the Pope is yet in being, or that any other have power to make Laws in this Realm, *contrary and Repugnant* to the Kings Prerogative-Royal, or the Customs, and Laws or Statutes of this Realm, shall be punish &c. on the one hand. (For what skills it, to *cut off* the Popes Prelatical, Hierarchical, or *Pastoral head*, and set up (with a new-name) *another in the Room* of it; whether Presbyterian, Fifth-monarchy, Prelatical, or any *other Bigot*? this is to cut off *Hydra's head*, when another *as bad and like* (*as two Twins*) starts up in the *Room* of it.)

But, *on the other hand*, if either Clergy or Laity derogate from Holy Synod, and do not acknowledge it to be the Representative-Church of *England*, and that dare affirm, that the Government of the Church by Arch-Bishops, Bishops, Deans, Arch Deacons and the rest, or &c. is Antichristian, or contrary to the word of God, shall be Excommunicated, never to be absolved, until they repent, and publickly revoke this wicked Error.

Can. 135, 140, 141. Ann. 1603.

Can. 7. 1603.

I know some that have as good a *Swallow as the best* Latitudinarian of them all; but of all *certain things*, they must dread a *Dilemma*, for though you escape one horn, you are catcht and tost upon the other.

To affirm the Pope or (*Any thing like* the Conclave) any other Pastoral head to be the Supream head and Governour of the Church, is to incur a *Præmunire*, by denying the Kings Supremacy, as also by denying the King and Parliament to be *the only* Legislators. (And there is not a Protestant in *England* (if a Lay-man) that dares, or does deny the Kings Supremacy, and that the *King and Parliament are the only* Legislators, Law-makers, or Canon-makers:)

Nay, the Lay-men are not much afraid to say, that the Government of the Church by Arch-Bishops &c. or *Bishops*, (whether *Commissaries, Officials, Arch Deacons, Sumners or Apparitors, Surrogates, Registers, deputy Registers, Canons, Vicar-canons, Prebends, Residentiaries, Non-Residentiaries, Chapters, Chanters, Precentors, Rural Deans, Sub-Deans, Vicars Generals, Lay chancellors, &c.* (which last are a kind of *Lay-elders*, which we laugh at in the Presbyterians) are not found, not (in the least) mentioned in the word of God, although they are threatned with Excommunication, which (in their sense) is *eternal damnation*, (until they recant) (publickly,) and within 40 days (after Excommunicating) *thy Grace*.

But the Clergy then (*poor Souls*) they are hamper'd with *&c. Oath* of Canonical obedience; dare not say any thing in defiance of that &c. Oath, though it be condemned (which they honest men do not know, at least, very few of them) by Act of Parliament: namely by the 13 *Car.* 2. 12. as aforesaid.

25 H. 8. 19.

The Statute 25 *Hen.* 8. 19. condemns the Popes Supremacy, and all Hierarchy and Canons which were prejudicial to the Kings Prerogative Royal, and to the Laws and Statutes of this Realm; and gives Power and Authority to the King (*Hen.* 8.) to nominate and assign at his pleasure *thirty two* Persons of his Subjects, whereof fifteen to be of the Clergy, and fifteen of the Temporality (*Some Lay-elders in this mean*) of the upper and nether House of the Parliament, to view, search, and examine the Canons, Constitutions, and Ordinances Provincial and Synodal heretofore made, and such as they judg'd worthy to be continued, should from thenceforth be kept and obeyed.

But I never heard that these Commissioners did ever do any thing *to the purpose*.

Yet this Power of granting Commissions and Authority of this nature, was by 1 *Eliz.* 1. for ever united and annexed to the Imperial Crown of this Realm; and upon the Statute and foundation was built the *Star-Chamber* and High Commission Court, and the Authority of all Canon-makers Synodical.

But *down came the Fabrick* by repealing 1 *Eliz.* 1. in 13 *Car.* 1. 11. and also in and by 13 *Car.* 2. 12.

By which last Statute that unreasonable Oath also *ex Officio*, (by vertue whereof the Spiritual Courts (a man had lain with a Wench, or a Wife had plaid foul play, if examined by every little Surrogate and Registar, must either be *their own accusers*, or by Perjury *damn themselves*) was abrogated also and taken away, together with that same *shocking &c. Oath*, and for ever *extinguish* all the Fraternity thereof, and Fellow-canons of 1640. and Provisos made by sinking in the foundation 1 *Eliz.* 1. (on which their High-Commission Courts were built) that no more Commissions be granted by his Majesty for the future, but the Spiritual Courts by that Statute of 13 *Car.* 2. 12. just as *Hen.* 8. wherein they were 1630.

Now, will it be worth the while to consider what State they were in 1630. *to grant Præmunire*, if their Bulls on which their Star-Chamber and High-Commission-Court were built, be taken away.

For the said Statute of 13 *Car.* 2. 12. does not only provide against the Canons made in the year 1640. but also against any other Ecclesiastical Laws *not formerly confirmed*, allow-

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ed, or Enacted *by Parliament* (which the Canons of 1603. never were) or by the eſtabliſhed Laws of the Land as they ſtood in the year of our Lord 1639.

So that it is not ſo difficult to get out of *this Labyrinth* that does ſo puzzle many men, as ſome do imagine.

For all Eccleſiaſtical Juriſdictions till the Statutes of *Hen.* 8. to the contrary were derived from the Pope as Supream Head of the Church: This Head being beheaded, the Supremacy was veſted in the Crown, and for Rules and Canons to walk by, King *Hen.* 8. was *empowered* by the Statute aforeſaid to nominate 32. Commiſſioners, one Moiety *Lay*, and the other *Clergy*: yet they did nothing, (perhaps for that reaſon.)

But 1 *Ed.* 6. 2. This great *Flower of the Crown* is taken care for, and not for *ornament only*, but for weightier reaſons it is Enacted, that all Proceſſes Eccleſiaſtical, Summons, Citations, *&c.* be from the firſt day of *July* then next following, made in the *name* and with the *Stile* of the King as it in Writs original or Judicial at the Common-law; and the *Teſt* thereof in the name of the Archbiſhop, or Biſhop, or other having Eccleſiaſtical Juriſdiction, who hath the Commiſſion and grant of the Authority Eccleſiaſtical immediately from the Kings Highneſs, and that his Commiſſary, Official or Subſtitute exerciſing Juriſdiction under him ſhall put his name in the Citation or Proceſs after the *Teſt*.

So that if there *be any Eccleſiaſtical* Juriſdiction in *England*, *diſtinct* from his Majeſties Lay-Courts, they muſt be ſuch as acknowledge his Majeſties Supremacy above their Hierarchy, and as a Teſtimony thereof all their Proceſſes Eccleſiaſtical, Citations, Summons, *&c.* ought to be made in the *name* and with the *Stile* of the King, as it is in Writs original and judicial at the Common law: and alſo the Kings Arms Engraven in the Seal of their Spiritual Court.

Oh! but this would be to buckle and ſtoop, and thruſt the Hierarchy and holy Paſtoral Head under a Lay-girdle (for though the Pope be exil'd this Realm, it is hard to exile the Hierarchical Spirit, witneſs the Fifth-Monarchy men, Presbyterians, and *you know who*) they'le keep *no Courts at all* firſt; no; *will they not*? Then who cares? who are the Loſers? *If they go thereto*, and be ſo pertiſh.

And it is a proper *Query*, what penalty they have and do incur by keeping their Spiritual Courts otherwiſe (which were firſt founded upon the Popes Title, and ſince that determination) now veſted in his Majeſty, as all other Courts (good reaſon and Law too) and all their original and judicial Proceſſes ought to be in his Majeſties name, and under the Seal of his Majeſty. as a token of their due Homage, by ſtriking Sail, and *lowring* their *old* rotten, *over-worn Top Sayls* to the *King's Flag*.

'Tis true, the ſaid Statute of 1 *Edw.* 1. 2. is repealed by 1 *Mar.* 2. but I care not for that, for it is revived again by Repealing 1 *Mar.* 2. in the Statute 1 *Jac.* 25.

And 'tis well worthy our obſervation what (1 *Mar.* 2.) The Biſhops and Clergy of the *Province of Canterbury* (in their Convocation aſſembled) do acknowledge and confeſs in their Supplication to their Majeſties (*Philip* and *Mary*) in theſe very words: *Inſuper Majeſtatibus veſtris ſupplicamus pro ſua Pietate efficere dignentur ut ea quæ ad Juriſdictionem noſtram & Libertatem Eccleſiaſticam pertinent, ſine quibus debitum noſtri Paſtoralis officii & cura animarum nobis commiſſa exercere non poſſumus, nobis ſuperiorum temporum injuriâ ablata, reſtituantur, & ea nobis, & Eccleſiæ perpetuo illæſa & ſalva permaneant; & ut omnes leges, quæ hanc noſtram Juriſdictionem & libertatem Eccleſiaſticam tollunt, ſeu quovis modo impediunt, abrogentur, &c.* (that is) Moreover we do in all humility Petition your Majeſties, That out of your great Piety you would vouchſafe to make ſuch Proviſion, That thoſe things which belong to our Eccleſiaſtical Juriſdiction and Liberties (without which we cannot duly diſcharge that Paſtoral Office and cure of Souls committed to our Care) and taken from us lately by the Iniquity of the Times, may be again reſtored to us, ſo that they may for ever remain inviolate and ſafely ſecured, and aſſured to us and the Church; And that all the Laws (which have taken away, or do any ways hinder our Eccleſiaſtical Juriſdiction and Liberties) may be made null and void.

Here's ado and a whining for their dear Eccleſiaſtical Juriſdiction, and Liberties, which (the *Convocation themſelves being Judges*) were at that time taken from them and abrogated; and if *ſince that time* they have not catch'd it again, 'tis to be fear'd, *'tis deſperate* now, and never to be retriev'd.

But Queen *Elizabeth* was enabled and *empowered* ('tis the words of the Statute) to retrieve their Eccleſiaſtical Juriſdiction by granting them Commiſſions to that purpoſe; of which *large Power granted by Parliament*, they made ſuch large uſe, as is complained in 17 *Car.* 1. 11. (at large;) againſt *Magna Carta*, &c. (which I am loth to repeat, but would willingly have it lie buried, and never riſe up in Judgement againſt any Succeſſors as ſeem to be of the *ſame ſanguine* complexion,) that 13 *Car.* 2. 12. damns all ſuch Commiſſions for ever, and that his Majeſty nor his Succeſſors ſhall never grant them any more; Repealing 1 *Eliz.* 1. their great Foundation. So that we are come at length to *an eaſie Reſolution* of the *Query*.

For if the *Spiritual Courts* be askt the queſtion, *By what Authority they do theſe things*, and who gave them this authority? Whether *God* or *man*?

Not God (for certain,) because there is not the least *Specimen* of *Chancellors*, *Registers*, *Scribes*, *Officials*, *Commissaries*, *Advocates*, *Notaries*, *Surrogates*, &c. or any *ejusdem farinæ* in Holy Writ.

Nor from Man; because his Majesty has by Statute Enacted never to empower them with any more Commissions to the worlds end.

But if they pretend they have it *ab origine*, (as was their original) from that old Hierarchy of the *Pope that founded* them, they incur a *Præmunire*; (*the greatest of punishments* on this side death) nay, any might kill a man attainted in *Præmunire* without being prosecuted as an Homicide, till *Eliz.* 5. 1. took away that severity; but at this day they forfeit *goods and liberty*, but not life.

So that if the Question (I say) be put to them concerning their Ecclesiastical Jurisdiction and Spiritual Courts (as in another case it was put by our Blessed *Saviour* to the Pharisees) *Is it from Heaven or from men*?

I fear all their *Learned* Doctors of their Canon-Law must answer, as the Pharisees did, *We cannot tell*.

And if so, I think, *they have brought their Hogs to a fine Market*; if after all *their Cry*, there appear to be *so little Wool*: who'le give five hundred pounds for a Chancellors place, and as much or more for a Registers-place?

And though the Clergy or others might (by the Kings Commission) make Laws and Canons while 1 *Eliz.* 1. was in force, and which lasted all her (and King *James* his) Reign, and till 17 *Car.* 1. yet then the branch of that Statute of 1 *Eliz.* 1. being taken away, and also Repealed by his present Majesty 13 *Car.* 2. 12. till which time the Canons in 1603 and 1640. were in force, but now that their Basis is taken away, (that branch 1 *Eliz.* 1.) I cannot discern where their Authority lies, (more than in the said days of Queen *Mary*, when they confest they had none.)

But this I do not peremptorily assert, but leave it to the consideration of men of greater abilities, reading and leisure; than my necessary Diversions and constant Employs will at present admit.

And I wish with all my heart (if wishes would do) that *most of* the Canons of 1603. and also some of 1640. were of more Authority than indeed they are.

And if the Reader knew me, he would also know it is my *Interest* (*which can never Lye*) to have them and the Clergy and the Hierarchy too of greater and more justifiable Authority, than they have at present.

Yet nevertheless, as I have *Christened* this my Discourse in the Title-page, *The Naked Truth*, it shall never be said, (whatever be the Consequence) that it *derogates* from the name.

I have *no Pique*, no Design, no Interest against Ecclesiastical Jurisdiction, but on the contrary, I have one of my own; where my Predecessors have exercised as much Ecclesiastical Jurisdiction, (though not so often, it being but a little one) as any Bishop in *England*; and therefore if the Naked Truth did not *silence Interest*, I would not enlarge one Syllable more.

And I will further add, that the first Reformers (whereof many of them were Martyrs) do seem to be so divinely Inspired in composing the 39 Articles of the Church of *England* (that is, of the Doctrine of the Church of *England*,) that there is scarce one Fanatick in *England* so Foppish as to differ or deny; so evenly have they *cut a hair* betwixt the *Remonstrant* and *Anti-remonstrant*, and other diversity of opinions, that though they differ *toto Cœlo* from one another, yet they all concenter and agree in those 39 Articles of the Church of *England*.

But when the said Branch of 1 *Eliz.* 1. *gave power* to the Queen and her Successors to set up a High-Commission Court, *They made work*; (I'le promise you,) *woful work* sometimes; and about trifles too.

So that I must say of them, and the Canons of 1603 and 1640. as is usually said of a great Wit: *viz.* *Nullum magnum ingenium sine mixturâ dementiæ.*

And this will appear if we further consider, that even those men of the Hierarchy that most *wave* those Canons and impose them upon others, Though a *burden too heavy* to be born, yet they themselves will *not touch them with one of their Fingers*; when thwarting their Interest; of which, take a few Instances, that first occur and come into my mind.

Who regards or observes *Can.* 2. 4. 5. 7. 9. 11. & 14. of 1640?

For are all *Socinian-Books*, and also those of *Brownists*, *Separatists*, *Anabaptists*, *Familists*; and *what Stills* burnt? Are none kept, bought nor sold, as *Can.* 2. & 4. does enjoyn?

Is the Communion-Table every where plac'd Altar-wise, and Rail'd in, as recommended *Can.* 7?

Indeed the 6*th.* Canon with the *&c. Oath*, is too much kept, and a shame it should be suffered (indeed) to be Imposed upon the Consciences of the Clergy, being disallowed by Act of Parliament, as aforesaid.

But pitiful is the case of young Clergy-men especially if they be put to the *sad choice*, either to *swallow* the Oath of Canonical obedience, with *the &c.* to-boot and into the bargain, or else starve for want of Institution to a Living.

Are

Are all Conventiclers, Separatists, and members of gathered-Churches Excommunicated, and every three Months declared to be such, to put the Zealots in mind to take out a Writ *de excommunicato capiendo* against them, and put them all in Gaol? And who will lay out money to build Gaols enough to hold them all? *Can.* 9. and 11. and *Can.* 65. 1603? who reads Prayers upon the Inauguration-day of King *Charles* 2. as enjoyned *Can.* 2? who furnishes all the Parishes with two Books of Common-Prayers compiled for that purpose, as decreed *Can.* 29?

Who does upon every Eve of the Festivals, and Saints days in the year, as well as upon all Holy-days read Prayers publickly; or if they do a little in some places in the *Morning*, how few in the *Afternoons*, and yet enjoyn'd *Can.* 14?

How many Spiritual Courts do take care to put into the Condition of the Bonds of Security given by the Party to be Married by Licence,

That the Parties or one of them have or hath been *a Month* resident in the said Jurisdiction, immediately before the said Licence granted? look the Condition of their Printed Bonds, there's not a word of it; but *Oath, what Oath may*; they know among themselves the weakness of their Canons, and therefore every one *makes his own Market* and the best he can of them, yet this is decreed *Can.* 16. 1640.

Who can make *the States of Venice, Holland, Genoa, Switzerland*, &c. believe that the most High and Sacred order of Kings (*if taken in opposition to Aristocracy, and other modes of Government*) is of Divine-Right, being the Ordinance of God himself, founded in the Prime Laws of Nature and clearly established by express Text both of the Old and New Testament; as is asserted *Can.* 1. of 1640?

Did ever any *Protestant or Popish* Divines assert any such things, before this Synod decreed it?

Was not the first Government by *Moses* the Priest changed by God's express Command into an *Aristocracy*? Did not *Moses* complain to God for redress, as unable to bear the burden of Government himself alone? because it *was too heavy for him*, and made him weary of his life. Num. 11. 11, 12. 14.

Wherefore *the Lord* chang'd the Government into a kind of Aristocracy, or *King and Parliament* (if you will) and took the Spirit (of Government) that *was upon Moses* and gave it unto the *seventy Elders*. Vers. 16, 17.

That *a mixt Monarchy* is the best Government, is the opinion of most: That the English Constitution of Monarchy is *the best* kind of Government (and *the King*) and *no grievous Slavery*, (as of old) and Established upon the *Divine positive Laws* of the Land on which it was *first founded* and on which it stands the *most stedily*; and that it is not contrary to Holy Writ, is *not only my opinion* but the opinion (I think) of *all English-men*; nay, almost of all the world, that envy our happiness.

Every thing stands surest on *its own bottom*; but when men, *to mount to higher*, will make it stand upon imaginary *Cracks* and weak *props*, 'tis the way to ruine.

The Holy Scriptures say expressly, that there is *no power but of God*, whether the Monarchy of *Poland*, or the Aristocracy of *Venice, Genoa*, &c. they are *all of God*, and the *Powers that be, are ordained of God*, one as well as another, and *as much* as another.

'Tis well the King and Parliament condemn'd these Canons *as fast* almost *as born*; For if it once had been *an allowed* and *an avowed* Doctrine of the Church of *England*, that Monarchy (in opposition to Aristocracy) is of Divine-Right, founded in the Prime-Laws of nature, and by *express Texts* both of the Old and New Testament; (and yet name me *one* such Text) Then all the *States of Europe* must by our Doctrine be condemn'd as hell-born *Diabolici*; contrary to Divine Right, and the Prime Laws of Nature, and *contrary to express Texts* both of the Old and New Testaments: and if so, what assurance could they have *in affiances and Leagues* with a People that in their publick Doctrines condemn them in their very Constitutions and Foundations, as contrary to *God, Nature, and holy Scriptures*?

But into *what follies* and extravagancies will not men run when *blinded with flattery* and Sycophantry? and how *dizzy-crown'd* are some men when they are climbing or have *climb'd too high*, till their Brains are Turn-sick? This 'tis to be *Episcopus Episcoporum, Bishop* in other mens Dioceses, and to meddle with things *above* our understanding, at least *above* our Cognizance.

The *wringing of the Nose bringeth forth blood*, and straining the strings too high, breaks them, at least, spoils the Musick, and endangers all: such Politicians as prefer Flattery before Truth, and things *Pleasing* before things *Profitable* do never bring good to themselves nor others in Conclusion, for *magna est veritas & prævalebit*. At long run, Truth is always strongest.

Thus you see how needful it is, not only *to count Moneys* (but opinions too and *Doctrines*) after our *Spiritual Fathers*.

Then for the Canons of 1603.

Who does *always bid the Prayers* before Sermon as *Can.* 55?

How is the Canon of 88. observed, Prohibiting the prophaning of Churches, when I could Instance that without molestation, some at this day are made *Courts of guard* for Souldiers, some are *made Shops* of, many lie desolate?

Who

Who mind *Can.* 109. that prohibits Common Swearers, Common-Drunkards, notorious Whoremasters and Whores, &c. from the Blessed Sacrament of the Lords Supper? Do not even Bishops hear men Swear a thousand Oaths in their hearing, and either *do not or dare not* use any *discipline* against them; and yet they pretend their great business is *discipline*, and if they be not good at that, *what are they good for* more than the Inferiour Clergy, that bear the *burden and heat of the day*?

The 112. enjoyns Ministers and Church-Wardens to present every one of their Parish that took not the Sacrament of the Lords Supper, (being 17 years of age, of either Sex) *at Easter last*; Is this done? or if it be, what comes of it? more than to help the Registers to a little money sometimes, and in the interim brings all the Parish about the ears of the Minister and Church-Wardens?

The 119. commands all Church Wardens to make a true Presentment of all and every the Articles given them in charge, and to which they are Sworn, and not *perfunctorily, and for form sake* only: But let but the Church-Wardens give the Registers their money, and subscribe *omnia bene*; though *all* be *amiss*, yet all is heal'd up with *two or three shillings*.

The 120th. Canon decrees that all Citations of *quorum nomina* should be sent out subscribed by the Judge or Surrogate of the Court, and not only by the Register, But who observes it?

The 135. and 136. enjoyns a *Table of Fees* to be hung up in the place where the Ecclesiastical Courts are kept, that every one may at his pleasure take a Copy, but works of darkness hate the light.

The Statute enjoyns upon great penalty, that they shall not take above 6 *d.* for any *Letters of Administration* or *Probate*, where the Goods of the Deceased amount not to 5 *l.* But they will have 17 *s.* 10 *d.* though the Goods come not to 40 *s.* and 18 *s.* 2 *d.* where the Goods amount to above 40 *l.* And for engrossing the Inventory, and one Story or other, they'le make the Administrator pay at the least 17 *s.* or 18 *s.* (when the Goods come not to 40 *s.*) And when the Goods come to *above* 40 *l.* they never take less than *six and twenty shillings*, sometimes 30 *s.* sometimes 40 *s.* sometimes 50 *s.* sometimes *more*, as I can instance in very many particulars.

And if a poor man Indict them upon the Statute, they have so many *Holes to creep out at*, and great friends (that go snips with them perhaps) that little good is to be done upon them, as well as little good by them.

But I confess that the Canons of 1603. and 1640. stand upon weak Foundations, for the reasons aforesaid, in comparison of those Canons made by the Four *first General Councils* (wherein all consent) and also all other Canons Provincial and Synodical made before 25 *Hen.* 8. are all by the 19. of 25 *Hen.* 8. confirmed, so that they be *not contrary* and repugnant to the Laws of this Realm.

Yet in the 15*th* and 16*th* Canon of the *first General Council* of *Nice*, it is provided, that *no Bishop shall remove from one Bishoprick to another that is fatter* and better; not that any Presbyter remove from one Benefice to another, because the *great Tythes fill a greater Barn*.

(By vertue whereof *Eusebius Pamphilius* (that writ the Ecclesiastical History) refused to remove from the little Bishoprick of *Cæsarea*, to be the great Bishop of *Constantinople* (proffer'd to him by the Emperor *Constantine the Great*) (But *Constantinople*, in those days, no, nor yet *Rome*, had an *Arch Bishop*, that name was not yet in Fashion.) And for this modesty of *Eusebius*, (as one that was Proof against Pride and filthy lucre,) *Constantine* declared he was fit to be *Bishop of the whole world*.)

But I must reclaim my Pen, for if I go on in instances of this nature and at this rate, what will become of me, if some men happen to discover who I am, and see *through my Covering*? for it is an known adage of old, confirm'd by every mans daily experience, *Obsequium amicos, veritas odium parit*; I know, a *Tyger* is not more enrag'd nor more revengeful, than a Proud and Covetous man when he is told those plain Truths *that gall him*; especially if he be a man of *much Power* and *little Grace*.

Not a word more, therefore (*at present especially*;) and the rather because the subject of my Discourse will lead me to name some honest Canons hereafter that will *cut* some men *to the very heart*, that are *mighty* for the Canon Law, and yet practise it *not in any thing* that *thwarts* their Pride and Avarice.

But I shall do it in hopes that those Canons may do *some good* upon them, for really I believe, some of these imposers of Canons upon others, *never heard* of some that I shall name by and by, for all their vaunting of *Canons, Canons*; 'tis probable they have *ply'd their Guns and such Canons*, more than *ply'd their Books*, or else they could not be *so ignorant*, as I perceive *some of them are*, upon Discourse.

But I cannot fully handle this Argument of the Canons, except I enquire in the second place,

Query

Query II.

What kind of Canons were in use in the Apostles dayes, *and* Primitive times, *and who the first Inventers or* Founders of Canons? Quer. 2.

CAnon is the Greek word for a *Carpenters Rule*, it is a *word of Architecture*: signifying *the Rule*, that directs men *in building*.

Whence it is that the Holy Scriptures are called a *Canon*: as in *Gal.* 6. 16. *Phil.* 3. 16. and in several other places: *Canons* therefore are nothing else but *Ecclesiastical Rules* or *By-Laws* made by the Church for its better *edification*. Answ.

The *first Synod* (say some) or rather *private Conventicle* of Christians after our Blessed Saviours Resurrection, we read of *Acts* 1. and that was about the choice of an Apostle to succeed *Judas* and take his place, St. *Peter* being *the Prolocutor*, when the whole number of names was 120. Synod 1. Acts 1.

To these Brethren St. *Peter* makes a Speech, and (not he, but) they *Decree, Statuerunt, made a Statute* or a Canon, *publicâ & totius Collegii suffragiis*, the most Votes carried it.

The second was called *Acts* 6. to make *new Officers* in the Church, called *Overseers* for the poor, or *Deacons*; which last word in the Original only signifies *Your humble Servants*; or a ready and vigilant Minister. Synod 2.

Therefore sometimes the *Magistrates* are called *Deacons*, *Rom.* 13. 4.

Sometimes *women* are so called, *Rom.* 16. 1. Sometimes St. *Paul* is called a *Deacon*, *Col.* 1. 23. 25. 2 *Cor.* 2. 6. and so is *Timothy*, 1 *Tim.* 4. 6. Sometimes *all Believers* are called *Deacons* by Christ himself, *John* 12. 26.

And at this meeting the *Principal Elders* that chose these seven Deacons, were *the People*, the multitude of Disciples, *Acts* 6. 2, 5. when they were pleased, Then *they* (*the multitude*) chose *Stephen*.

The third was a *Conventicle of the believers* of Jerusalem: And from this of all other *in Holy Writ* all the Councils in after Ages derive their Authority, as well as Platform. Synod. 3.

For this was the first that made Canons or Decrees to *bind the absent*; but *what Burdens* or obligations? only a very *few* and very *safe*, and *under no penalty* upon those that disobeyed; yet in this Council where *not only* the holy Apostles, but the Holy Ghost was present and president, yet for all that, those few and harmless Canons there made, were not (like the Laws of the *Medes* and *Persians*) unalterable and irrefragable.

For at the next Council held in the same Town, and by the same men, St. *James* and the rest of the Presbyters, *Acts* 21. 18. were of another opinion (as aforesaid) concerning the observation of *Mosaical Ceremonies*, particularly Circumcision.

But the Canons of the same third Synod, we find in *Acts* 15. 28, 29. only two verses; *not a Book of Canons*; and those Canons (or rather one single Canon) *short, full, modest and charitable*; namely, *It seemed good to the Holy Ghost and to us, to lay upon you no greater burden* (they were not wanton in their Impositions, but how tender, and loth to load men) *than these necessary* (*not trivial*) *things*; *That ye abstain from meats offered to Idols, and from blood, and from things strangled, and from Fornication*; *from which, if ye keep your selves, ye shall do well*. *Fare ye well*. Acts 15. 28, 29.

Ye shall do well, fare ye well; *why? that's well said*, and honestly, and Christian like.

That's a *great deal better* and more *like good Christians* than to conclude their Canons with *Curses* and Anathema's, and *take them Satan*; but modestly and piously, (*not the language of Heathens*) but the *language of the Holy Ghost*; ye shall do well, Fare ye well.

But that's not all the Remarks I make upon this Synod, and Canon; it begins, *It seemed good to the Holy Ghost and to us*——

In which Stile run all the Canons and Decrees of Councils, ever since, but *how Apish*? how inimical? *how false* many times? The Holy Ghost did indeed in the Primitives times come frequently *not only* upon the Apostles, but *upon every* Christian in the gifts of Miracles, Tongues, &c. that they might well say, (and truly too) *It seemed good to the Holy Ghost and to us*.

But for men that are *only Apes*, nay, that cannot so much as shew any sign of the Holy Ghost, (than as it is brought from *Rome*, &c. in a Cloak-bag) for them to Preface at the Primitive Rate——*It seemed good to the Holy Ghost and to us*——Oh Confidence and Forehead!

This third Synod was Celebrated at *Jerusalem* about fourteen years after our Saviours Resurrection, in the *4th Claudii Imp. Cæsaris*.

There (when St. *Peter*, St. *Paul*, St. *Barnabas*, and St. *James* had made their Speeches) *The people were very well pleas'd*, Acts 15. 22.

Had the Apostles the gifts of the Holy Ghost? so *had the people*; all the Assembly; *Acts* 2. 1, 2, 7, 8. Did the Holy Ghost descend upon the Apostles? so did he *upon all the people*, Acts 2. 38, 39. *upon all that repented and were Baptized*: were the Apostles filled with the Holy Ghost? so was *all the Assembly*, *Acts* 4. 31. so was *Stephen before* he was chosen Deacon, *Acts* 6. 5. so at *Samaria* all believers received the Holy Ghost, *Acts* 8. 14, 15, 16, 17 nay, the Holy Ghost fell upon *the whole Auditory*, *Acts* 10. 44. And that there should be no mistake,

miſtake, St. *Peter* (you muſt know it was *before he was Pope*) he confeſſes there was *no difference, nor Preference, nor Prelacy*; for like Prieſt, like People, *The people have received the Holy Ghoſt as well as we.*

The Diſciples were filled with the Holy Ghoſt, *Acts* 13, 52. ſo alſo *the Gentiles*, *Acts* 15. 8. and the *Holy Ghoſt made no difference*, *verſ.* 9. no, no, 'Tis *Pride* and ambition that *makes the difference*, The Holy Ghoſt in his gifts made none; in *Temporal* affairs *there muſt be* a difference, but to *Spiritual gifts* the *poor* are entituled as much as the *Rich*.

A Deacon, a Presbyter or Prieſt are names wherewith the Apoſtles and Primitive Christians were well acquainted; but *Arch Deacon* and Arch Prieſt, *&c.* are but *modern coyn*, and did not *paſs current* in the *Primitive times* of Chriſtianity.

Yet if the ambitions of men did not extend nor aim at any higher reach, than *to vye with, or ouvye* their equals, contemporaries, or betters, it is ſtill but humane ambition and pardonable.

But moſt of the Councils whether Oecumenical, Provincial, or Synodical ſince the Primitive times have, (ever ſince the Gifts extraordinary of the Holy Ghoſt left the Church) vy'd with the Apoſtles for the Infallible Spirit in their Aſſemblies, *not an ace leſs* would they go. Nay, (which is an ambition not leſs groundleſs than vain and ridiculous) they would ouvy the Apoſtles in Monopolizing the infallible Spirit *to themſelves alone* (the Clergy, forſooth.)

Whereas *all the people*, all the brethren (as aforeſaid) received the Holy Ghoſt *as well as* the Apoſtles; and they were conſulted, and *their advice aſk't* in framing Canons as aforeſaid.

It being meet, that they that *were oblig'd* ſhould have a *hand, and a heart*, a vote and a conſent (at leaſt by *their Repreſentatives*) in thoſe Decrees that obliged them to obedience.

But no ſuch matter, no: For when the *French* or *Spaniſh faction* prevails in the *Conclave*, when an *Arrian Emperor* makes an *Arrian Council* and conſequently an *Arrian Creed* as at *Ariminum*: and when an *Homouſian* Emperor makes an *Athanaſian*, as in the firſt General Council of *Nice*; when an Idolatrous Empreſs makes Canons for worſhipping of Images, Harangu'd to it by ſome of her favourite Prieſts, as in the ſecond Council of *Nice*; when Simony, Flattery, Hypocriſie or Sorcery *creates a Pope*, and a thouſand Fopperies, Partialities and Intereſt of Princes ſwayes *in the Conclave of Cardinals*; yet none of them all will *hate a Title* of the old Preface to their Canons——namely——*It ſeemed good to the Holy Ghoſt and to us.*

Conſtantine (the great) was no *Arrian*, nor yet *Euſebius* Biſhop of *Ceſarea* (before praiſed) whatever ſome men imagine, but without diſpute he made the greateſt part of the Creed for the whole Council of *Nice*.

Theod. *lib.* 1. *c.* 12. As may be ſeen at large in his Epiſtle to the people of his own Dioceſs; which the great *Conſtantine* very well approved of.

But the *Council of Nice* had a hand in altering it a little, and made ſome little addition of the word Homouſios or Conſubſtantial (which neither *Euſebius* nor any Orthodox man does gain-ſay) nevertheleſs that un ſcriptural word, (though according to the ſenſe of Scripture) made the greateſt Schiſm in the Church that ever was, and was (at laſt) the great cauſe of the Turks Conqueſts and Triumphs over Chriſtendom; The *Arrians* (which once was *the Major part* of Chriſtendom) chuſing rather to turn *Turks*, (that owned, and to this day own the Lord *Jeſus Chriſt to be the great Prophet of God*, and with whom they met with *fairer quarters*) than amongſt ſome of the Orthodox; ſo *fatal* has it been to Chriſtendom to impoſe *unſcriptural words* upon mens Conſciences under the Title of the Infallible Spirit and Holy-Ghoſt, in meer diſputable points, that will endure Conteſt to the worlds end.)

As if God and our Lord *Jeſus Chriſt* with the Holy Ghoſt, (*The Holy Trinity*) did condemn all men, as faſt as one man condemns another; and meerly too, becauſe they cannot ſee to *ſplit a hair* (as few men of all mankind are ſo quick-ſighted) betwixt *Homouſion* and *Homoiouſion*; or, betwixt *one ſubſtance* with the Father, and *alike ſubſtance* with the Father.

Theod. *l.* 1. *c.* 12. I'le only add the words of *Euſebius*, namely, *Therein* (in the ſaid firſt Council of *Nice*) *It was Prohibited that any man ſhould make uſe of any Terms which the Cuſtom of the Scriptures do not allow; by which Phraſes* (or Terms) *have happened all theſe Revels and Diſorders wherewith the Church is thus diſturb'd.*

Obſerve how agreeable that Note of *Euſebius* is to that Divine 20*th.* Article of the Church of *England*, ſet down at length in the beginning of this Diſcourſe.

And how careful our firſt Reformers were, and tender of laying *Stumbling-blocks* before the weak; not delighting to *make them fall* in hopes to get a *top* of them, or get ſome *booty* from them, much leſs did they cram unſcriptural Articles, Canons, and Creeds down mens throats, and ram them down with a Curſe, an Anathema, or Excommunication; However *no &c. Creeds and Canons* are ſo ramm'd down.

Again, by what Authority do they lay Injunctions and Burdens, Canons and Decrees on all mankind that are Chriſtians?

Whilſt the Roman Emperour had the univerſal Monarchy, there might be General Councils, to whom he gave Command to ſit, approv'd or diſprov'd their Acts, and gave life and vigour to their Canons when Enacted; But now it is next to Impoſſible (now that both Emperour and Pope have ſuch a Precarious ſway) that there ſhould be an Oecumenical Council, the Old Houſe is too much broken to pieces and divided againſt it ſelf.

Beſides,

Besides, if there were a General Council, what Tokens are upon them of the Holy Ghost, more than upon a Parliament, who pretend not to be Bigots, nor to have the people Bigotted, but ruled by God, according to the Laws of the Land they live in, in all quietness, godliness and honesty, and in Righteousness and Holiness, according to the Divine Laws of the Land Men live in?

For if once Men come to dispute Authority, and the wisdom of the Laws and Law-makers, the next step is Confusion and Rebellion; nor did, or can any Government under Heaven subsist, when they are not able to avow and execute their Laws against all Gainsayers.

This, notwithstanding, does not urge that Governours, if wise, should be *wanton* in Power, and lay *unnecessary* Burdens upon their people, (*though weak*) for they are the *least able* to bear; and if the Laws or Canons they impose be nothing but *some necessary* things, (as did the said Synod of *Jerusalem*) there are none but obstinate and querulous persons that will refuse Obedience; and such must be made to know themselves, or else the Government sits very unsteady, as being precarious, (the condition of Supplicants, not of such as bear Sway and Authority.)

And one would wonder that those that have Ecclesiastical Jurisdiction, (if now there be any such thing) should desire to hold it, at this Precarious Rate they do; (I say not this, that I grudge any Power they have, but wish them more.)

But Power (though fading) is so pleasant to some Men, that they are loth to part with it, or, (like frank Gamesters) venture it for a better, and as much more; rather like drowning Men, they lay hold of that that does but help to sink, and drown them in conclusion.

And is it not worth the greatest care to give relief in this Extremity; or set the Church, (that is) the Kingdom to rights, which has gone so long lame and limping on the right side?

But how shall this be done, (there's the skill) or who shall do it? *The Synod sure*, that call themselves the *Representative Church of England*, in pain of *Anathema* to all that dare deny.

Ay, but the Laity, the *Laity* have got generally an odd opinion, to see with *their own* Eyes, and not by Spectacles, especially *not Spectacles of Clergy make*; which of old they were so long us'd to, *they thought it spoiled their eye-sight*; and so being kept blind, the Clergy *led them by the nose*, whilst the ignorant Laity *pinn'd their Faith* upon the *Clergymans sleeve*; and Ignorance was the Mother of their Devotion.

Besides, *The naked Truth* is *uniform*, but Canons and Decrees of Clergymen do so differ and *cloash* one with another, that it is impossible they should all be truth; *Truth* which never yet was *patcht* and *Pye-bal'd*, or wore a *Party-colour'd Coat*.

But how has one Council condemn'd and curst another to the pit of Hell? How usual for one Pope to dig up the Carcase of his immediate Predecessour, and either hang him up (*in Effigie* at least) or throw his dead Body (after it has been sufficiently abused) (at farewell) into *Tyber*?

Again, why do Clergy men only Represent in Council, and not all the Brethren (the Laity) as of old? How come *Synod men* to be *so lickt*, that all others compar'd to them, are but an ugly *shapelesse Lump* of deformity? Or, how come they, *the Clergy*, to be the *Representative Church of England*, (when met in Synod) though the *Lay people* never gave any *Votes* in their Election, nor so much as any of their Advices consulted, about the chusing those Members of the Convocation? And if not, how come they obliged to obey their Decrees and Canons, when they never gave them their Suffrages and consent?

Though the Clergy chuse some of them, (the *Nether-house*) for so they distinguish (*Parliament like*) yet the *Upper house* is made up of *Bishops*, and the Richer Dignitaries, Deans, Arch-Deacons, &c. which make up by *far the major part*; the *Inferiour Clergy* of the Kingdom have *no Vote* in their Election, and yet must be concluded by them, their Canons and Decrees, as if they really had given their Suffrages to their Election, and the Constituting of the Synod, for it is all but umbrage.

As for Example; In the Diocess of *London*, there are Five Arch-deaconries; namely, the Arch-deaconries of *London*, *Essex*, *Middlesex*, *Colchester*, and *Hartford*.

In each of these Arch-deaconries, *Two* of their Inferiour Clergy are chosen *Procurators* for the ensuing *Synod*, (Elected *de novo as often* as there is a new Parliament chosen.)

And these Ten (one would think) should be a very fine ballance to the Hierarchy and Richer Dignitaries, (the Bishop, Dean, Five Arch-deacons, the Chapter, &c.) and *almost*, *but not altogether* able to turn the Scales.

But, (I thank you) when it comes to, there's no such matter; for it is *five to one* that *not one* of those Synod men (which with such ado are Elected) *shall sit*.

For the Bishop, *out of these Ten*, chuses and culls out *Two*, and sends the rest home again, as if they never had been chosen; And how then should these Synod men be called properly (and in pain of Damnation so owned) for the Representative Church of *England*, since they are *not at all* Elected by the Laity, *nor any* of the *Upper-house* chosen by the Clergy; and of the *Nether house*, but *Two of Ten* (that are chosen) are suffered to sit?

Besides

Beſides, that ſaid Branch of 1 *Eliz.* 1. on which the Convocation did once flouriſh, being now wither'd and made of no effect, *what does a Convocation ſignifie* (all theſe things conſider'd together) towards a Repreſentative Church of *England*, and to lay Burthens and Impoſitions (neceſſary or unneceſſary) upon the Natives, without his Majeſties Commiſſion?

Beſides, ſince 1 *Eliz.* 1. is repealed, (whereby the High-Commiſſion-Court had ſo great Power, as (by vertue of that Statute) to diſpenſe with the ſaid Statute of 1 *Edw.* 6. 2.) after it was revived by 1 *Jacob.* 25. *all the Reign* of King *James*, and part of *Car.* 1. ſo that they never did admit the *King's Arms into the Seal of the Court*, nor yet vouchſafe to ſeal Proceſs and Citations, &c. in any other Name, (*no not the King's*) but their *own only*, is to be attributed to the *dreadful awe* in which Nobles, Lawyers, Gentry, and Commonalty were kept, by the Terrors of a Star-Chamber, and High Commiſſion Court.

Which being now Diſſolved, Quere, whether they muſt not be accountable for the neglect of that Statute of 1 *Edw.* 6. 2. whenever Authority ſhall reckon with them? (in good time.) But in other caſes 'tis ſaid,——Forbearance is no Acquittance.

Theſe Oecumenical, Provincial, Synodical, Claſſical, &c. *Aſſemblies* and Synods, with their *Directories* and *Impoſitions*, *Canons*, and Decrees, have made a great deal of noiſe and *bub-bub* in the World: which brings to my mind that paſſage of *Euſebius*, Biſhop of *Nicomedia* (an Arrian) to the Lord *Paulinus* Biſhop of *Tyrus*,——namely, ——*Some approved one Party, ſome another. The Affairs of both parts look not only like a Tragedy, but alſo deſerved much weeping and lamentation. The caſe was not now as in former times; for they were not Foreign Enemies that took Arms againſt the Church, but Men of one Houſhold, of one Kindred; yea, and ſuch as were Fellows at one Table: inſtead of Lances, they whetted their Tongues one againſt another. Nay, moreover, when they were Members compacted and united into one body; yet for all that, they were armed to Battle within themſelves.* Theod. lib. 1. c. 6.

Then ſince (as muſt be confeſſed) men whilſt *humane* are ſubject *to err*, and eſpecially *in their own caſes*, and *for their own Intereſt*, to be *partial*, cruel and paſſionate; ſince one Canon contradicts another, one Synod another, one Aſſembly another, and perhaps all of them repugnant to Truth, Holy Scripture, and the Laws of this Realm: Until it pleaſe God to ſend us *the Infallible Spirit*, God grant us the *humble*, meek and milde Spirit; not this bloody, cruel, Horſe-leach Spirit of impoſing upon men, and making them believe in ſpight of their teeth, and putting out their eyes becauſe they are not ſo good and clearly diſcerning, or more quickſighted than our own; calling one another *Heretick to the end of the Chapter*; which has (as aforeſaid) cauſed moſt of the Miſeries, Wars, Mutinies, Bloodſhed and Calamities in the Christian World.

Object. *But ſhall men be left at Liberty then, to believe what they liſt?*

Anſw. Yes, they ſhall in ſpight of all men living: You may make men tell Lies, and *rehearſe the Articles of their Belief*; but you are ne'er the wiſer: for none but God, the ſearcher of hearts, knows whether they *believe* what they *rehearſe*. Nay, the heart of man is ſo deceitful, that few men know their own hearts, or what they do believe with the heart; nay, you have many times a cloſe Atheiſt excommunicating and curſing Chriſtians, that do not believe according to his Canons; though in his ſleeve he laugh at all Creeds and all Canons.

Object. *Shall men then have* Liberty of Conſcience?

Anſw. Yes, they ſhall as to matters of Faith, in ſpight of all the world; but as for Works that are contrary to the Laws of the Land (which ought notwithſtanding to be tender of impoſing unneceſſary Creeds and Burdens, that are not contained in expreſs Scripture (beyond diſpute) and not lay traps on purpoſe to enſnare and make men forfeit their Livings and Livelihoods to men of greater Latitude.) The Magiſtrate muſt either juſtifie his Laws and vindicate them, or repeal them, or his Authority will ſoon come to a period. God and Nature ſeem to delight in Variety, and in making Men and Women (all in the world) of different Features, Ayres, Dimenſions, Complexions, &c. And how do we know that Almighty God is ſo much diſpleaſed with Variety of Opinions alſo, as ſome men imagine? Though we have *different* Phyſiognomies and different Eye-ſights, yet we all *continue* to be *men*. And though we have *different* Judgements, Minds, and *Opinions*, (ſome more clear, ſome more purblind) yet we may *all continue Chriſtians*.

But ſuppoſe other men *do not* (*cannot* for their lives) ſee ſo well as we, or ſo well as the Synod, or the Magiſtrate, yet muſt we therefore *pull out*, or put out their eyes; deliver them to the Devil firſt, and then to the Gaol, and after all to the pit of Hell; And for *expedition ſake* thither with the more ſpeed, (until the writ *De Hæretico comburendo* was Cancell'd) *Fire and Faggot*.

Theſe have been the Methods, this the Piety of bloody Synods and bloody *Bonners*; and diſtinguiſhing themſelves (*all the better*) from all mankind, by the name of *Clergy*, *Clergy*. The word (*Clergy*) indeed is a Scripture expreſſion, but never *but once* found in Holy Writ, and then it ſignifies *Lay-men*, 1 Pet. 5. 3. *the Flock*, not the Sheepherd that feeds the Flock. The Presbyter *Peter* adviſing his Fellow Presbyters, or Prieſts, Μηδ' ὡς κατακυριεύοντες τῶν κλήρων, neq; *ut dominantes Cleris*; Not Lording it over God's Lot, *over the flock*, (there called) Clergymen, (that is) Laymen.

Nay this I'll ſay for theſe Clergymen, *ſome of them*, ſhall knock a word *out of joynt* and do as feat things *as any Layman* of them all.

Notable

Notable was the first Canon that ever was made by a General Council, the first at *Nice*; namely, '*Si quis à Medicis propter languorem defectus est*, &c. 'If any man be guelt by the 'Chirurgeons because of the Disease, (*you wot of*) or Eunuch'd by the Barbarians, we are 'content he shall remain a Clergyman. But if, being wholesome and sound, he make 'himself an Eunuch, (*as did the great* Origen) he, although he be a Clergyman, ought 'to be made a Layman again: And if such a man be a Layman, he shall never be Ordain'd 'a Clergyman. As also we Ordain the same therefore against those that are so audacious 'as to gueld themselves: But if the Barbarians or their Masters gueld them, such, if they 'be of good Conversation, are by this Canon admitted to become Clergymen.

These Holy Fathers in this General Council were *three long years a sitting* before they *brought forth* those *Canons*, and all the while plentifully maintain'd by the unparallel'd Munificence of the Emperour *Constantine*. But one unlucky Accident had like to have spoiled all at last, if their Wisdomes had not *salv'd it up*; 'twas this: Theodoret. l. 1. c. 7.

Two of those same Bishops (318. says *Theodoret*; 270. almost, says *Eustathius* Bishop of *Antioch*, who made one; 270 just, saith *Athanasius*, who was also there present;) it happen'd, I say, that two of them (called *Coryssanthus* and *Musonius*) departed this Life; *Priusquam Acta Synodi perficerentur*, &c. saith *Nicephorus*. This put the Reverend Fathers to a notable plunge, saith *Nicephorus*. (For it seems it was not yet agreed, whether the Infallible Holy Ghost sway'd every individual, or but some, or but the Major-part, or only whilst *in Cathedris*; or went also home with them to their Lodgings: whether he was *totus in toto*, or *in qualibet parte totius*.)

But to make all sure, *what do they, but away* (no doubt upon serious deliberation and consultation among themselves) *they go to the Church-yard or Sepulchres, and standing by the Graves of the two deceased Bishops, with the said* Nicene Canons *in their hands*, (as if they had been alive, and had had Ears to hear) *they made their address to them in these words, and with this following Common prayer and Harangue. Holy Fathers!* (said they) *ye that with us have fought* (true enough) *the good fight, and have finisht your course, and kept the Faith; if therefore ye, that are enlightned with the Beams of the Trinity, and see things more cleerly, all Interpositions being done away; we say, if ye approve of what we have done,* 'tis fit (telling those glorified Saints their duty) *that you do also with us subscribe this little Book* (of Canons.)

And having made this Speech, they left the Book upon the Tomb sealed up, and watcht all night; but the next day returning to the Sepulchre, they found the Seals unbroke; and opening the Book, they found their Hands (with which they were very well acquainted) *newly subscribed among the rest, viz. in these very words.* ——*We* Chrysanthus *and* Musonius, *who sate with all the Fathers in the first Holy Oecumenical Council of* Nice, *though Translated from the Body, have yet subscribed this Libel with our own hands.*

And it was kindly and civilly done of them, I'le assure you, to leave their Heavenly Stations, and visit the Tombs, *at the request of Mortals praying to Saints*; nay, and to have learnt to write neither better nor worse, but the very same old Characters their Writing-masters had taught them, (for so *Nicephorus* adds in the story) *Subscriptiones illarum reliquis incertas cognovêre recentes adhuc in hac verba conceptas.* The old Fathers knew their hands again, when they saw them, very well, the Ink was scarce dry upon the Book. And a further Miracle it was, that the Ink being *scarce dry did not blot*, the Book being *clos'd up* and Seal'd.

And the greatest wonder was, that *one Town* could hold *so many Bishops* three years together, without venting their Malice and Spleen against one another, more remarkably than when at their first Meeting, every one (*like fierce Tygers*) snarling, biting, assaulting, and flying in the face of each other, by Articles and informations, endeavouring to make each other more black; (that were black enough already) and by blemishing their Reputations with the General, get them turn'd out of their Livings; *Constantine* had work enough (says the Historian) to keep the Peace amongst them and to keep them quiet; and as the best Expedient, he call'd them all before him, and every ones heart leapt with *joy* and *fear*; *with joy*, that the Articles he had put in *against his adversary* should be first read and consider'd; but yet in a trembling *fear*, lest the *blacks* should be *his own*; from which fears the Emperour forthwith deliver'd them all, by making a *Bonfire* of all the Indictments, and charging them thenceforth to keep the Peace. And blessed be God for this piety and prudence of the Emperor, or else with what strange *dismal features* had these Holy Fathers been *described* to posterity, if their *Pictures* (as they had drawn and *portrayed* one *another* in their Informations) had been *transmitted* to after-Ages, instead of being committed to the fire.

Yet the Clergy, *The Clergy*, (what by the Piety of some Princes, and the simplicity of others) got such Immunities and Privileges to sin and offend the Laws, and yet be free from the Cognizance or Jurisdiction of the Lay-Magistrate, that they began to *distinguish themselves in Habit* from other men, and colour of their Cloches (as did the Pharisees of old) that a man thought himself *never so safe*, as when he had got on *a Cassock and Girdle*, or some such distinguishing weed.

I doubt not but St. *Peter* and St. *Paul* were as good Clergy-men as the beſt of them; and yet after they were Apoſtles, who could diſtinguiſh them for ſuch, (*as the word Clergy is now taken*) that had found St. *Peter* a fiſhing, with his Fiſhers Coat tuckt about him; and St. *Paul* in his Loom a weaving?

But in proceſs of time, the Presbyters or Prieſts begun to call *themſelves alone*, *the Church*; themſelves alone, *the Council, and Synod*; and themſelves alone, God's Heritage, or *God's Lot*; or, (which is all one) his *Clergy*.

But ſince this word *Clergy* has ſo long obtain'd in the world (how properly I have already diſcuſs'd) and alſo is become part of ſome Statutes in *England*, I (that hate Innovation without great cauſe) will even let it go as it is, and take it in its common acceptation hereafter. I only have ſaid this much, to ſhow, that neither the Name nor the Thing; neither the word Clergy, nor yet God's Heritage, belongs any more to this Tribe of *Levi*, than to other Chriſtians, *if ſo much*; nor that they alone above all others; nor ſome of the *few and odd ones* amongſt them (*much leſs*) are the *Repreſentative Church* of *England*, and muſt needs be acknowledged ſo to be, in pain of Excommunication, the Gaol, and Damnation. And by the premiſes it ſeems to be evident, that there is no Law, or Canon, at this day in force, or of force ſufficient to make them ſuch a Repreſentative.

One Head we all acknowledge, *viz. Imperial*; but the *Paſtoral* Head was *Beheaded* (as aforeſaid) when the *Popes Head* was *cut off*. And where is that *Hydra* that dare put his Prelatical, Fifth-Monarchy, or Presbyterian Head in his room?

Laymen cannot ſee ſo readily *the Tokens* of the Infallible Spirit amongſt theſe Clergy and Synod-men, that they boaſt of; but that they are faulty and frail (*at leaſt*) *as much* as other prudent Men: even in that firſt general Council, (before praiſed) *Arrius* had ſome friends amongſt them to the laſt, and ſuch that refuſed their Biſhopricks (*no common Bigots* I'le promiſe you) and contemning the glorious Careſſes and gifts of an Emperour (that ſeem'd to be enamoured and in love with thoſe Reverend Fathers, even *almoſt to ſin*) rather than they would ſubſcribe (to keep their High ſeats) *the Nicene Creed*.

And when after the death of *Conſtantine*, when the *Arrian Creed* and Religion came to be uppermoſt, and the *State-Religion*, and the opinion countenanc'd, preferr'd, and *in faſhion at Court*, (as it did in the days of his Son and Succeſſor *Conſtantius*) many of the *Nicene-Creed-Biſhops* fac'd about, kept their Biſhopricks and their Livings, being *not now neither Non-Conformiſts*, like the Vicar of *Bray*; only *Athanaſius* alone ſtood it out to the laſt with great conſtancy.

In the Seventeenth Canon of the ſaid firſt Council of *Nice*, it is ordained, that no Biſhop ſhall ordain any that are not of his own Dioceſs, without the conſent of the Biſhop of that Dioceſs to whom he appertains; or if he does, the Ordination is null and void.

Whence note, how eaſie was the Remove from being a Clergy-man back again (*as you were*) a Lay-man; where was the indelible Character in thoſe days that the Papiſts prate of?

The Eighteenth Canon is made againſt Clergy-men that are Uſurers, the penalty was, *loſs of his Biſhoprick*, or Living; and alſo the Clergy-man for his Uſury was made a Lay-man again; ſo *ſmall was the leap* from Clergy to Laity.

In the Twentieth Canon, (being the laſt) it is pioufly ordained, that no man ſhall pray kneeling upon the Lords-day, or in the days of Pentecoſt.

But enough of *the Canons*, and theſe firſt Canons and Canon-makers; I'le conclude them as St. *Bernard* does, *Homil. 4. ſuper miſſus eſt.*

Videas plerosque in Eccleſiâ de ignobilibus nobiles, de pauperibus divites factos, ſubitò intumeſcere, priſtinæ obliviſci abjectionis, genus quoque ſuum erubeſcere, & inſuetos dedignare parentes, &c.

Video & alios (quos non ſine dolore videri debet) poſt aggreſſum Chriſti Militiam, rurſus ſæcularibus implicari negotiis, rurſus cupiditatibus terrenis immergi, cum magnâ curâ exigere mores, & neglegere mores, &c.

'You may ſee (*quoth he*) very many Church-men of mean Parentage, now made equal 'with Noblemen; of poor Fellows, now made Rich; and ſwell ſo ſuddenly, and look big, 'that *the Prieſt forgets that ever he was Clark*; nay, he's aſham'd of his own Parents, and 'the ſtock he came on.

'And ſome Money'd-men (*you may ſee*) fly preſently into high Eccleſiaſtical Dignities, 'and then preſently admire themſelves for their worth and holineſs; when (*alas!*) they have 'got indeed richer Copes, not richer Brains; thinking themſelves Men of Worth, and de'ſerving that great Dignity, to which they arriv'd through the aſſiſtance of great friends 'and flattery: And (*if I dar'ſt ſay*) which they purchaſt with their Money, not with their 'deſerts. Not to ſpeak of thoſe that are ſo hoodwink't with Ambition, that their places 'makes them proud, and high, and unſociable, &c. coveting to involve themſelves in 'Secular Affairs, and Ambitious Deſigns, after they have liſted themſelves Souldiers in the 'Camp of Chriſt, (*which I am very much troubled to ſee.*) they being more careful to *Erect* 'ſtately *Manners*, than to *correct* their evil *Manners*, &c.

Query

Query III.

Of Procurations, Synodals, and Visitations.

WHether (since by the Laws of this Realm, no man ought to *take a Purse*, or exact any Money but by Act of Parliament) *Procurations, Synodals, and Visitations*, may be exacted of (and paid by) the Inferiour Clergy, to the richer Dignitaries? *Query.*

Procurations are certain Impositions exacted from the Clergy, by the Bishops, and his (*Eyes* called) *Arch-Deacons* in *their Visitations*, claiming the same by *ancient Custom*, but no Law. *Answ.*

The original of these Procurations is (*pretended to be*) a Compact or Agreement made betwixt the *Incumbent* and the *Visitor*, (*viz.* the Bishop, or Arch-Deacon) whereby each Incumbent charged himself or his Benefice with such a yearly Rent to the Visitor, to defray his and their Charges at some great Town fit for their reception, at a publick Meeting or Visitation of the Clergy, rather than he *put to with entertaining* the Visitor and his Train (which grew like a snow-ball the further it roll'd) in their *Ecclesiastick Visitations*, which of old were *the only* Visitations.

But he that has but *a life-Estate* (as no Parson or Vicar has any more) in his Benefice, can never grant a *Rent for ever* out of such Benefice, and bind his Successors; *nil dat quod non habet*; it is not so much as an Annuity or *Rent-sack*, much less can the Incumbent or Farmer grant a *Rent-charge*, no not with the consent of the Patron; *Spiritual* Livings being surely *incorporeal things*.

You see then, if some do but (*of any fashion*) get in *our free*, it is hard getting them out again; perhaps they'l say, (*as some have done*) that no Clergyman Beneficed, Rector nor Vicar, has any Freehold in his Living, but all is the Bishop's; and the Inferiour Clergy that do the great Work, are *but the Bishops Grooms and Journeymen*. I'le assure you, some of them are so ignorant, that they know no better, and dare not value themselves, nor behave themselves in his presence at a higher rate.

And yet this Lording over the Clergy, *this exercising Dominion* one Clergyman over another, *as the Princes of the Gentiles*, and usually call'd *Prelacy*, is not only absolutely forbid by our *Blessed Saviour*, as aforesaid; but as much care and provision made against the Pride and Avarice of the greater sort of Clergymen, (if such cob-web, and *mere* Law of Canons could hold the mighty) as heart can wish.

To instance in a few that first come to my mind at present, (for some men will never take warning, until their Iniquities become to be hateful to all Mankind.)

Our *Blessed Saviour* warns them, the Apostle *Peter* warns them *not to play the Bishop, for filthy lucre*, but of a ready mind; the ancient *Councils, Fathers, Canons, Laws* and *Statutes* warn them, and command to forbear this *monstrous beast* rapacity: but *sua de fabulâ*, for (of all spoyls) none are made with more ease and safety, than when the Inferiour Clergy become a Prey to the great ones; yet no spoils are so unchristian, unhumane, nor so unnatural.

Tygers spare their own whelps; Eagles, Hawks, and Kites, use not their fiercest Talons against Birds of their own feather; Dogs indeed and Swine only (*of all Brutes*) have a stomach to feed upon, eat up, and devour their own kinde.

Dictum est etiam quod in plerisque locis Archidiaconi super Presbyteros exercebant Dominium, & ab his exigebant, quod magis ad Tyrannidem quàm ad Rectitudinem videbatur pertinere. Cabilonens. Synod. 2. cap. 15.

Si enim Episcopi, juxta Petri Apostoli sententiam, non debent esse dominantes in clero, sed forma facti gregis ex animo, nihil minùs ipsi hoc facere debent. Sed oportuerit eos Presbyteris disciplinis, & teneant propriam mensuram, & quod eis ab Episcopis progeritur, hoc per parochias suas gnaviter exequi studeant, nihil per cupiditatem aut avaritiam præsumendo. (that is)

'It is reported, that in many places Arch-Deacons domineer over Parish Priests, and 'will have Money of them; which exaction borders upon Tyranny, rather than right Order and Justice.

'For if Bishops, in the opinion of the Apostle *Peter*, ought not to Lord it over the 'Clergy, but *take the oversight of the flock, not by constraint, but willingly*; much less should 'their Fellows do the same: but be content with good Discipline (*and the Cure of their* 'Arch-Deaconry) keeping within their own bounds; and endeavour to put the Bishops 'Injunctions in execution all over the Diocess, not daring to do any thing through Avarice or greedinesa.

There is a like Order made in *Concil. Lateran. sub Alexandro 3.* to the Archbishop of *Canterbury*, against Exactions of this nature; and the *Extortions* of the *Arch-Deacon of Coventry*. Concil. Lat. par. 2. c. 3.

Object. If it be objected, that these Synods are none of the Four first General Councils;

Answ. It is readily confest; for how should they make Laws against the Exorbitances of Arch-Deacons, when there was no such Office as to nature exercising any Jurisdiction Ecclesiastical, and therefore could not abuse their Authority, till they had it to abuse?

Apud. in vit. Sist. Rom. Epis. I read indeed *Anno Dom.* 260. of St. *Laurence* an Arch-Deacon, Martyr'd in that year, which *Anno Dom.*

But this Arch-Deacon had nothing of our Arch-Deacon but the Name; he was indeed Arch-Deacon (as *English*) the *Archi-servus*, or *Chief Deacon* to the Bishop, of all the Servants or Deacons about him.

Prudent. de Corona. He was *Chief Treasurer*, (saith *Prudentius*) discharging his Office; at best, but chief *Porter* or *Door-keeper*, that kept the Keys of the poor mens Box, and the Church-doors; *Custodis fa-ciendus pauperis.* (So use the words of *Prudentius*) *cistella servanda datis foribus ostiarium claviculas, custodes depositum opes.* This Arch-Deacon was chief Turn-key, or chief Stew-ard among the Deacons, and chosen by them to be one from among themselves.

The next Arch-Deacon I read of, was one *Stephen*, *Anno* 255. Arch-Deacon to *Cornelius* Pope of *Rome*; the *Author* had got one about the year 400.

Afterwards the Name, by the favour of the Emperors of *Constantinople*, became a Name of some repute; for till then, Mr. Arch-Deacon was not suffered to lay, nor yet to be co-vert in profesie of a Parish Priest.

But about this time, (as before) Diocesses began to appropriate the Name of Bishops to themselves alone, which in the Apostles days signified no more than Presbyter; as appears by 1 *Pet.* 5. *Tit.* ii. 6, 7. where the Presbyter in the fifth verse, is called Bishop in the seventh verse: and *Act.* 20. the Elders or Presbyters, verse seventeen, are called Bishops verse twenty eight: *Take heed therefore unto the flock, over which the Holy Ghost hath made you Bishops*) also Arch-Deacons, and the Bishops Dean or Deacon was chosen (though very improperly) out of the Presbyters, who had left that servile name to that of *Priest* or *Elder*, under which the Church never knew a greater Title of honour; but as Dioceses did increase, so did the gainful title of being the Bishop's Deacon or Dean; and what Priest or Rector (that could) would not strive to be the Favorite Dean, or Arch-Dean?

Though (as *Erasmus* in his *Book*) such Men are more properly called Archi-Priests: and these Arch-Deacons in the Dioceses of *London* are five as aforesaid.

But when Bishops had Dioceses so large and great as now they are, if they were ever so *Laborious*, it is impossible one Man could oversee them.

Therefore that they got for themselves *Archi-Presbyteri*, or rather *Epi* (for so the Arch-Deacons are called in the *Greek*) *scopi*. And in *London Diocese* there were (as aforesaid) *Five Auxiliary-ops*; in imitation (some think) of those Benefices in the Church of *Rome*, which had *Five Sacerdotia Adscripta*; only there is some difference in the number, for there were but *Four* in *Rome*, but *Five* here.

Rom. 4. 6. Now I am so ignorant as to think this Similitude a Reason to the Five Arch-Deacons: for in the greatest Diocese that ever was conferred upon them.

For two of the most learned Interpreters of our Age, *Grotius* and Doctor *Hammond*, agree that those four Bishops (whether Apostles, *Peter*, *John*, *Paul* and *James*, or Disciples, as *Hammond* thinks) or Four Bishops were ordained by him (for *Erasmus* and *Grotius* probably) but *Grotius* thinks those Four Bishops were the *Four Evangelists*, (the Lords Brother, Bishop of *Jerusalem*) *Matthew*, and St. *Paul*. But this *Four*, *James*, (the Lords Brother, Bishop of *Jerusalem*) *Matthew*, and St. *Paul*. But this by this by, makes no provision touch the Complement of full 5 for the Arch-Deacons, those *Bishops* to *Apostolical* to help him [illegible] to inspect or oversee his Diocese; and if he had as many Eyes as *Argus*, he would not have one superfluous Eye in so great a Care.

In those days, the Office of a Bishop was a good thing; but now it is also a great thing, a painful, laborious, dangerous, a troublesome and a charge-ous.

And truly at length, these Arch-Deacons also became no less Sons-bodies, and would be known in their places. Did the Bishop visit? so would they: Had he any Ecclesiastical Courts? so would they: All actual Visitations grew so comfortable and pleasant to Mr. Arch-Deacon, and so profitable also, that they never thought themselves in their Heaven, like when they were at this work of Visitation, Archi-Presbyteri, Commissaries of Penance, Money Mens Churchwardens, Money from Churchmen. Money from the Clergy, they had such [illegible] days (which *Erasmus* observes) of Visitation, that rather they would always have been upon the [illegible] but if at any time their Courts were refused, and they confin'd to visit but [illegible] Archidiaconi sunt Presbyteri simplices quorum visitare; & Archidiaconi non sunt Presbyteri Archidiaconi sunt Presbyteri simplices quorum visitare; so that though [illegible] Excommunication without Special Licence.

Thus

Thus of old *only feined to come* by Visitations (but amongst us) *to be* Arch-deacons.

Nay, though the Bishop suspends the Arch-Deacons Jurisdiction three Months before, and three Months after his own Visitation; and the Bishop gets the Procurations of the Inferiour Clergy in his Visitations, (which is every third year) yet Mr. Arch-Deacon will demand them over again, and the Clergy (good Men) are so wise and civil as to pay it; even any thing for a quiet life.

Yet in the said *Maxime*, 'tis added, (after *simul tamen quærere cupiens*) *ne causa careat finis*; 'Let the Arch-Deacon visit but once a year, but then also without being (burthensome, or being) ——*Such a grievous Man.*

Yet *Custom is his only* pretence for these Exactions, which Apology here aggravates his Crimes; as if one that is *accustomed to take a Purse, Swear and Curse*, and pick Mens pockets, should say, I beg your pardon, Gentlemen, 'tis but to keep my hand in ure; I am so accustom'd to't, I can't help it. Indeed I cannot. But *custom is no argument in this Case*; like an *old ulcer*, (that the Leg has long been us'd to) 'tis the *harder to be cured*, and the *harder to be endur'd*.

It is a *Maxime* of the Common-Law (which is especially made up of Customes, laudable and reasonable Customes, that) *Pur ceo que tout prescription, &c. encounter reason, &c. is void.* Customes against reason, (especially against Laws and Statutes to the contrary) are void, *Id nequit malus usus abolere legem.*

It is a custome time out of mind, for wicked men to take Purses upon *Salisbury plain*, will this plea save a Thief from the Gallows?

Consuetudo non præscribit alii per jus expressum reprobatur (Hostiensis.) No Man can prescribe a Custom against a Positive Law. Hostiensis.

And does not the Twenty Ninth Chapter of *Magna Charta*, (that Sacred Law so often confirm'd, and the breakers thereof so oft Curst by *Bell, Book, and Candle*, and that with flood (and flood its ground against) all Violence, Oppressions, Innovations, High-Commission-Courts, &c. in opposition to it, and rising up against it; nay more, it has been *Against the length of time*, and looks as fresh and flourishing, as if it were in its prime; and is *my Faith, my Hope, and my Prayers*, that it may so continue to the worlds end (sure it was made in a lucky hour) which Enacts That *Magna Charta* confirm'd by 25 Edw. 1. and by 2 Edw. 3. four Statutes, and 1 Rich. 2, &c.

'No Free-man shall be taken or Imprisoned, or be disseized of his Freehold, (or 'which nature are all Rectories and Vicaridges) or Liberties, or Free-customs, or be 'Out-law'd, or Exil'd, or any otherwise destroyed, nor we will not pass upon him, 'nor Condemn him, but by lawful judgment of his Peers, or by the Law of the 'Land; we will sell to no Man, we will not defer to any Man Justice or Right.'

Bishops are Right Reverend Men, and Arch-deacons Reverend Men, but still they are but *Men*; and if I were a Clergy man, if I could not hold my Free-hold, nor obtain it (my benefice) but *ad nutum Episcopi*, I would never hold one whilst I live, for if so, then he that Marries his Chamber-maid, or his Son, or his Kinsman, or his Kinswoman's Husband, or his Kinswoman's Maid's Husband, (*if a Clergy man*) would *find one hole* or other in my Coat; or, *make one* (which is more safe and more common) big enough to make me lose their Lordships good opinion; who though good Men, and Right Reverend Men, yet whilst they are so, they may err and be wrapt with *Passion, Prejudice, or Interest*, against which (I know it experimentally) *humane is no fence*; and therefore I say, if I were a Clergy man, (as perhaps I am, for ought any body shall know) I would leave them *all the Benefices to themselves*, rather than hold them upon *such base terms*, and *not like a Free-man*, and an *Englishman*, by the Laws of the Land, my Birthright.

And does His Sacred Majesty and his Privy-Council pretend any right to exact Money, or to raise any, or take any mans Freehold from him, but by Law, and Acts of Parliaments? and shall these Bishops and Arch-Deacons dare to continue these Exactions against Law, against Christs Law; (*nor is Bishop to be subject to Law*) against the Law of the Land, and *Magna Charta*; against Sacred Councils, Fathers, and Canons; and all this, because 'tis easie to prey upon their own poor gentle kind, though so unnatural as aforesaid?

I wonder they are not afraid of these Curses and Anathema's, (if they themselves do believe the vertue of them) and Excommunications, thunder'd out *against the Impugners of Magna Charta*, so often, by the Bishops of old, *with Bell, Book, and Candle*? or do think all *those Ceremonial Curses* were only of force against the Impugners of the first clause of *Magna Charta*, namely, that *Holy Church shall be free*.

And do they keep two measures, *one to buy by*, and *another to sell by*.

But let *Magna Charta* and the Laws of the Land *sleep at present*, I'le only henceforth *play my Canons* against these Exactions, *turn their own Canons upon them*, their Canon-Law, and the Civil Law; and sure their Lay-Chancellors will *herein* stand by them, to divert the stock: for they are either good (at skill) in *Civil and Canon Laws*, (of which they are *Professors*) or else *what are they good for?*

And can there be any fairer play then to fight a man with his own weapons, that he is us'd to, and has still in, if in any? The *Argumentum ad hominem*, (which I'le make use of, and) which of all Arguments *Seneca* says, *the wisest* put out of mine *own mouth with Scandemi thee, thou wicked Servant*, says the Parable; and then it soons follows, *He was speechless!* The Apostle *Paul* us'd such a stabbing *Argument ad hominem*, Rom. 2. *Thou that sayest* (by thine own Law) *a man should not steal, dost thou steal? Thou that abhorrest Idols, dost thou commit Sacrilege?*

Rom. 2. 22.

I have inlarged *enough* in the Canon-Law *already*, but if those many already recited will not do, I'le stop their mouths for ever, if Canons can do it: For none are so frequently met with as Canons to this effect, that *Clerkes & Presbyters Parochiarum vagari, Tyrannicum est.* Concilium. Apostol. l. 2. cap. 22. de Agapis. *Presbyteris, ne qui laborant in verbo doctrinæ duplici honore, parcit in gratiam Apostolorum Domini, cujus locum sustinent, tanquam Conciliarii Episcoporum, & Ecclesiæ servent.*

Let the Presbyters that labour in the Word and Doctrine have double maintainance, for the sake of the Apostles of our Lord, *whose Successors* they are, (*mark, that*) being the Bishops Counsellors, and the Churches Crown.

And those *Canons* and Constitutions *Apostolical* (in 8. Books) are numbred amongst the Books of Canonical Scripture, by *John Damascen*; and by *Eusebius*, as also *Epiphanius, lib. 1. adversus Hæreses*: of the same opinion is *Photius* Patriarch of *Constantinople*, and *Oecumenius in Comment. in Epist. 1. ad Timoth.* so also in *Can. Apostol.* 85. *Athanasius* indeed allows them to be of good and wholesome use in the Church, but not Canonical, as composed by St. *Clement*, the disciple and companion of the Apostles.

J. Damasc. & Authorum fid.

But there are so many things *falsified* amongst them by the Pope, (who long had the keeping of them) that though many good things are amongst them, they are *not of any Creed*, but good enough to throw against the Canon-Law men, and to prove, that Presbyters or Priests are not (in the judgement of Antiquity) *fools, fopps and gentle fellows*, to stand with *cap in hand*, like so many School-boys, before the Bishop, whilst he *schools them, excommunicates them, suspends them, and calls them to account*: from the beginning it was not so, as I will shew anon; they *were his Fellows, and Counsellors* any where, even in the Church! The only difference was, he sat uppermost, but all sat, (not stood bare-head, like so many Boys.) And can there be any greater cause of the contempt of the Clergy, and their neglect amongst the Laity, then when they see how the Bishop (one of their own Cloth, that should best understand their worth) slights them? good God! whither will not pride and oppression hurry frail men?

Can. Apostol. 15. cap. 22.

Statuimus Presbyterum non alios docere, baptizare, benedicere populo: Diaconum ministrare Episcopo aut Presbytero. We ordain, That only the Priest or Presbyter shall preach, baptize and bless the people; and the Deacon, (*although such a Deacon*, (who what he was not then born nor baptized in the Church) ought to wait upon the Bishop and the Priests, or Presbyters.

Concilium Carth. 2. cap. 14.

Commodum fore est, ut olim Episcopi Parochias suas peragrent, quandam dumosam, &c. which I'le faithfully English thus:

'Special care should be taken, (*with the learned Council*) lest the Bishops, going to visit 'their Dioceses, should play the Tyrants over their Inferiours, or over their Fellows and 'Comrades, not exacting money of them, by strict and rigorous courses.

Then follows a Lesson to teach Bishops what they ought to do in their Visitations, and what they ought not to do: 'They ought to spend their time, (*in suscipiendis rebus commodissime dignis, in prædicatione verbi Dei, in laris animarum, potius quam depascendis & spoliandis hominibus, & scandalis multis fratribus, quorum dum*) 'in confirming men, in reforming what is amiss, in 'preaching the Word, busying themselves in gaining Souls, and not in spoiling and making 'a prey of men, and giving offence to their Brethren.

Et si quando sic ad peregrinandum quinquennium fames à fratribus aut subditis aliquid accipiendum est, hoc fumosperè observare debent, ne quem scandalizare aut gravare. Tanta cura in hoc re diligentia impendi est, ut & verbi Dei prædicatio sanetur, ubi propria defuere, à fratribus accipiat, & isti fratres illinc petendi non gravarentur; exemplo Apostoli Pauli, qui, ne quem gravaret, opus & manibus suis operabatur.

'And if, for the work of the Ministery, somewhat be to be received, either of their 'Brethren, or else of their Inferiours, see let them look to't, that they neither burthen any 'man, nor give offence.

'Such prudence therefore is to be used in this affair, that as on the one hand a Preacher 'of God's Word may receive somewhat of his Brethren, to bear his charges, when he has '(*mark that*) no proper maintenance and Revenue of his own; so also his Brethren ought 'not to be burthen'd with his Mightiships, in imitation of the Apostle *Paul*, who chose rather to get his living with his hands and Trade, then to be burthensom (or chargeable) to 'any.

Get living with their hands! there's no need of that, blessed be God, for the munificence and *legal provision* is enough, *enough* (if avarice *can possibly have enough*) to *glut* men, without being burthensom to poor Priests and Vicars.

Indeed, if these Bishops and Arch-deacons were as poor as St. *Paul*, and should come a-*begging* our charity as he did; hard-hearted would that man be, that would not open his purse, for his relief, though his Family fasted for it a day after.

But

But these are rich and mighty, and with Beaver cock'd, make Speeches, and give in charge, to pay Procurations to one another; (*that will not be forgotten I'le warrant*,) and not (*as the holy Scripture says*) *Remember the Poor*; but *Remember the Rich* Arch-deacon, and the richer Bishop, with your Procurations, Synodals, and Visitations; though the poor Vicar's Family pine and pinch for't a Month after.

And if they may not thus *go snips*, and share in *every Benefice* throughout the whole *Diocese*, then Woe be to you, with *Suspensions*, *Anathema's*, *Excommunications*, and the *Gaol*.

And yet some of these *Arch-Deacons* pay neither to Church nor Poor, neither to Assessments, nor yet keeping Hospitality, or so much as keeping House: These Undue-doers then thus coming into Mr. *Arch-Deacons* hands, (though he be alive, and alive's like,) 'tis no contradiction to say they come *in manus mortuas*: Is it not within the Statutes of *Mortmain*?

If they can shew any License from the King, or any of his Predecessors, to vex his Subjects thus against Law, Reason, and Equity: If they had orderly sued out their Writ *ad quod Damnum*, out of Chancery, before they had established this Ecclesiastical Revenue and Annuity, let them shew it: But to plead only *a Custom of Sinning* against Law, Reason and Conscience, is the *absurdest* of all their Pleas.

And (in good earnest) if there were no Law against it, Is there any Conscience that a poor, lean, bare-bone Vicar should thus greaze a fat ——— Arch-deacon in the ——, Pie?

I know that when the Devil shew'd our blessed *Saviour* all the *Kingdoms of the World in a moment of time*, he said unto him, *All this power will I give thee, and the glory of them, for that is delivered unto me, and to whomsoever I will, I give it*. But that was a Lie. Luke 4. 5, 6.

Yet the Pope says, that all the *Kingdoms of the World, and the Power and the Glory of them* are his, and delivered unto him, and to whomsoever he will, he gives them; but most especially, all Bishopricks and Benefices are his, in his donation; And he gave them (*originally*) *to go snips in them all*; that as the High-priest under the Law had the Tenth (of the Priest's Tythes) so he would have the tenth part of every Bishoprick and Benefice.

And though the Bishop is not the High-Priest, as *Aaron* was, and also that His Majesty has the Tenths, yet they would be known too in their places, and *go snips with all* the Rectors and *Vicars* in the Diocese, by *Procurations*, Synodals, and Visitations, &c. which amounts to as much as His Majesties Tenths in many Benefices, and in *many* also, *much more*.

Though *Aaron*'s Law is exemplified in paying the Tenths to the Priests, yet never did *Aaron* exact two Tenths or three Tenths of the Tribe of *Levi*; let them even *take all for me*, I hope, in time they'l have enough.

Inventum est quod in quibusdam locis Presbyteri dare debent vel quatuor denarios Episcopis *in censum annis singulis dandos, quod penitus abolendum esse decernimus*; (that is) 'We *learn* '(*says the Synod*) that in some places the Elders or Presbyters pay the Bishops every year 'twelve pence or fourteen pence, as a Subsidy or Annuity, which we hereby Decree shall 'henceforth be utterly abolished. (It is to be hoped the King and Parliament will be Petition'd to make such a Decree too here in *England*.) 5 Can. & cap. 17.

Twelve pence or fourteen pence yearly for Procurations! It would be well for thousands of poor Benefic'd Vicars in *England*, if they could put off the rich Bishop, or *his Great Eye* (the Arch-deacon) with *ten times so much*: no, they'l have it to a peny, or else ——— *sequester the profits* of the Benefice, *silence the Minister* ab officio, and *starve him and his Family* a farthing to live upon, till they be paid, and till the charges of the Sequestration and costs of Suit be also paid; or else by Excommunication, *his Soul* is delivered *to Satan*, and *his Body* to the *Gaol*; from whence there is no deliverance, till the charges of *putting him* also *into Gaol*, and for *his delivery thence* be also paid; (which is about seven pounds, for Spiritual-Court-Fees, and other consequents thereof; I know it.)

So that *want of Money* delivers the poor Priest *to Satan* and *the Gaol*; soul and body: and *ready Cash* again delivers him *from both*.

The Pope, that has *the Keys* of Heaven-gates, (if he says true) *pays the Porter* and he lets you in: And our *Absolution-men* pretend to have the Key of Hell-gates; and to let men out, from the Devil, to whom they themselves had delivered them for being poor, and un-able to pay: but upon condition tho', that if they have any credit to borrow money enough, or empty the Pewter-shelf to Alchymize into money, *to pay the Porter*, they let you out; and you are (*as you were*) *rolling in Curia*, as honest Christians as ever, and you and they as good Friends as ever; Thus *Orpheus* (is said) to trade to Hell, by the Poets, and also to redeem men thence by Musick; These, by Money do the feat.

Oh *Money! Money!* oh the *virtue* of *Money!* the *vice* of *wanting Money!* our blessed Saviour says, *It is hard for a rich man to enter into the Kingdom of Heaven*; but at this rate, quite contrary, *It is hard for a poor Man, or a poor Vicar* to come there; if he do not pinch very hard to get money for these men, whoever goes without; or in whose debt soever he dies, if he dies in their debt, *He had better no*; he knows his doom: There wants nothing but * *Sambenitas*, and a Faggot, with the Writ *de Heretico comburendo*, to make him the most Wretched.

This is a pretty thriving Trade, if it would but last; and for my part, I, (that have as much power to Curse, Anathematize and Excommunicate, as any Bishop or Arch-deacon of them all, and to absolve them again) with all my reading and experience, in their Spiritual

* A yellow coat painted with Devils and Hell-fire, with which the Inquisition do array the Jews and Hereticks when they burn them, in *Spain* and *Portugal*.

that Court and Juriſdiction, (*few ever have had more, or ſo much as I*) I ſay, I here proteſt, (conſidering the premiſſes, and the repealing of 1 *Eliz.* 1.) that *I know not by what Authority we do theſe things*; by what Authority we deliver the King's Subjects to the Devil, and back again, at pleaſure; what Rule, Canon, Law, or Authority we go by, and who gave us this Authority and Commiſſion; ſince His Majeſty cannot give any ſuch Commiſſion by 13 *Car.* 2.

Laſtly, from'd the Pope's Market for Indulgences to this day, and 'tis an even lay but ſome honeſt Proteſtant or other will, by *vertue of the Naked Truth*, ſpoil this *Trade to Hell and back again*.

But how the Devil ſhould be ſo much at their devotion and beck, (as if he was their Goaler) to take all that they deliver to him, or ſend to him by their *Maximus* of Excommunication; nay, and at their bidding to let men *out of hell*, as ſoon as they are *put in*, I mean as ſoon as they are *paid*, together with their Regiſters, and Sumners, tranſcends the apprehenſion of the Vulgar.

Syn. Cab. 2. cap. 18. *Diſtrictiùs præcipiendum eſſe quod ſæpe ſanctum fuit, Epiſcopi & Comites ab Ineptiis, &c.* (that is) "We are told that the Biſhops and their Fellows take money of offenders, commuting Penance, and then divide the ſpoil among themſelves, which we decree ſhall utterly be aboliſhed, leſt happly covetouſneſs enter in, *&c.* And *much more* very excellently ſays that honeſt Synod; (of every *ten* Procurators choſen by the Clergy to conſtitute that Synod, *Eight of them were not ſuffer'd*, and not ſuffer'd to enter the Convocation-houſe, I'le warrant.)

The 19. Chapter of the ſaid *Synod* enjoyns, that the Tythes ſhould be there all paid, where their Children are Baptized, and the Cure ſerv'd.

The 20. Chapter is an Admonition to peace and concord. And the 21. Chapter forbids all Bribes and Extortions, committed by Regiſters, Proctors, Commiſſaries and Officials, and the reſt of that *Motley-Tribe*, that like *Lay-Elders*, are (as *Cleveland* ſays)

Mad Diviſive Tick-Tack in a Pye-bald crew,
To ſerve as Table-men of ſeveral hue:
She that conceiv'd an Æthiopian Heir
By Fancy, when the Parents both were fair,
At ſight of you had born a Leopard Son,
You change ring her Imagination.
Had Jacob's Flock but ſeen you ſit, the Dams
Had brought forth ſpeckled, and ring-ſtreaked Lambs:
Like Royſton-Crows, *who are (as I may ſay)*
Friers of both the Orders, Black *and* Grey:
Like two that wore the Dialogue of Cloaks,
That ſtumblin John-a-Stiles, *that* John-a-Nokes.
Be ſick and dream a little, you may then
Phanſie thoſe Linſie-wolſie *Fiſhy-men.*

But I ſhall tire my ſelf, (as I have done already, and I fear alſo tired my Reader) with tranſcribing old Canons, and old Verſes.

In ſhort, in all the Synods and ſacred Councils, (that I can conſult, and *there's none of them have eſcap'd* my Inquiſition) and alſo in the Primitive times, and firſt three Centuries, Presbyters and Prieſts have been ſo far protected from proud and inſolent Prelacy, that care has been taken of them, even *in Punctilio's*, ſuch, as keeping on the Hat, ſitting, *&c.* in preſence of the richeſt and greateſt Biſhop of them all.

Conc. Carth. cap. 34. 35. *Conſtitutum eſt quod Epiſcopus quilibet loco ſedens ſtare Presbyterum non patiatur, in Eccleſia autem & conſeſſu Presbyterorum, ſublimior ſedeat; intra domum vero collegam ſe Presbyterorum eſſe cognoſcat.*

"It is decreed, that the Biſhop wherſoever he ſit, ſhall not ſuffer a Presbyter to ſtand before him; nevertheleſs in the Church, and at a meeting (or Sellions) of Prieſts, he ſhall ſit uppermoſt; but in a houſe, or at home, he ought to know that he is a Fellow and Companion of the Presbyters.

In Concil. Theodoret. l. 4. c. 8. Thus the Biſhops call the Presbyter *Elpidius*, —— our Brother and *fellow in Office Elpidius*; which is the very ſame Title that is given by the firſt Council of *Nice*, to old *Alexander* Biſhop of *Alexandria*, and *Euſtathius* Biſhop of *Antioch*, two of the greateſt Biſhops and Metropolitans in Chriſtendom, in thoſe days.

And are not good and ſtately Manſions, large Fines, Rents and Incomes, (pertaining to Biſhops and Archdeacons) enough to ſatisfie their appetites, but they muſt long alſo to *pinch ſomething* from every *poor hard-hone* Parith-Prieſt? who with great ſtudy and pains, and large expence of money and time, at School and the Univerſity, at long-run may perhaps (eſpecially if he or his Friends can part with more money) get into a Benefice.

But by that time *Money for Ordination*, (the true ſin of *Simon Magus*, and the baſeſt Symonie) *Money for Inſtitution*, (to the Biſhop, and his Secretary, his Regiſters, Potters and Servants) *Money for Induction*, (to the Archdeacon, and his Regiſters alſo) Firſt-Fruits, Arrears of Tenths, Dilapidations, Procurations, Synodals and Viſitations, *&c.* are paid, and *many* of theſe payments *without Law*, *ſome againſt* Law, Conſcience, Equity and Reaſon, no wonder the Prieſt is a poor Prieſt all the days of his Life; whilſt ſome ſurly Dignitaries that oppreſs him,

him, maintain their Foot-boys and Coach-horses in *better plight*. Let such read a Letter of my Recommendation, 'tis from a Pope (too) of *Rome*, (but before they grew so proud and high;) it is *Epist.* 3. *Sancti Clementis de officio Sacerdotum*; they know where (sure) to find it in print: whilst poor Priests lament with St. *Bernard*, *Serm.* 77. *Parum est nostris vigiliis, si non sirvent, nisi & perdent*: 'These big-Spiritual-men think it too little to withdraw their 'favour and protection from us poor Labourers, except they also do us a *mischief*.

Which will certainly be *my reward* from them, for *this Naked Truth*, if they can discover me; but God's will be done, 'tis the usual portion and consequence of speaking Truth, and plain-dealing; but, God's will be done, I say again.

Nay, they will not suffer the poor Presbyter to preach, and take pains in his Parish, to which he is Instituted by them, and of which they have (as by Law bound) given him the Cure, according to his Presentation, except he also *pay Ten Shillings more* for a License to preach there; although he have had never so many Licenses before, to preach in the same Diocess, and has already given them so many *ten shillings a piece* for them.

The *Great Turk*, is more merciful to the *Grecian Slaves*, he gives them free leave to pray or preach Christianity, not demanding one penny for the License.

In Popish times and Countries, they us'd to say, —— *No Penny, no Pater-noster*; in our Country we must say, *No Penny, no Preacher*, no *Licens'd* Preacher.

When a Deacon is ordain'd Priest or Presbyter, the Bible is given into his hands by the Bishop that ordains him, saying, —— *Take thou Authority to preach the Word of God, and to Minister the Holy Sacraments in the Congregation where thou shalt be so Appointed.*

Then (*in Institution*) the Bishop appoints him *where*: one would think, after all this, the Priest so ordain'd might preach the Word of God *in his own Cure, wherein* the Bishop has *Instituted* him, and whereof the Archdeacon has given him *Livery and seisin by Indenture*: But *no such matter*, he shall be *silenc'd still*, for all this, except the *other Ten Shillings* be paid for a License, (though he has three or four Licenses already, and all paid for:) And if the Bishop come to Visit the week after, or the day after; so that he knows well enough that the Minister has good *Letters of Orders, and Institution*; (for he himself gave it him the other Day) yet he must pay for shewing these things again at Visitations, and though he shew'd them all three years before at the former Visitation, and the Bishop has them all *upon Record in his Books*, yet he must shew them again, and never recover them, till he *pay for them again*.

In *Portugal* (I have known) in their Visitations, the Bishops make every Parish-priest pay for a License to keep a Concubine; And if a Man be old, *does* and *have no Stomach to a Wench*, yet *still he must pay* a Millrey or two for a License.

So that now they proverbially say, *Visitationes nostrum* (are become) *Visitationis nummorum*.

St. *Paul* indeed went *to visit the Brethren, and to see how they do*; but these go to *visit their Brethren*, and to see *how their Pockets do*.

And all they have to say for themselves is, *It us'd to be so in Popish times*, and formerly practic'd by others that were no Papists.

But the Civil-laws also provide against such foppish Pleas. *Error, falsa causa usucapionem non parit; nam usucapio non contingit iis qui mala fide possidunt.* And many such Laws can I cite, if I list, and if I did not think I have done their business already; If Statute-Law, Common-Law, Civil-Law, or (*their Masterpiece*) the Canon-Law, Reason, Equity, Justice or Conscience, nay, humane Nature and Compassion to their own kind will work upon them, *in despight* of their Interest, and *Money* —— *Money* ——

Justinian. Inst. l. 2. tit. 6.

And I hope all these Laws of God and Man, Reason, Honesty and good Conscience will over-vote their Interest and Money —— and Money —— and that they will ask God forgiveness, and that every Offender of them, from the highest to the lowest, will make restitution; or, at least, say with repenting *Job*, Behold *I am vile, what shall I answer thee? I will lay my hand upon my Mouth. Once have I spoken, but I will not answer; Yea twice, but I will proceed no further.*

Thus they will do; *if this work kindly* (as it is intended) upon their Consciences; but, if instead thereof, being *gall'd*) they do nothing but *kick and wince*; and instead of *thanking me* for my great pains (here frankly bestowed upon them for their cure, in much Charity) shall rather join their Heads together, first to find who I am that thus in kindly liberal to them; and then secondly, get a Club of Criticks and cunning Lawyers to lie at catch for every Expression here to improve it (that is, to mis-improve it) to Revenge, than I shall be sorry that I have vouchsafe so much pains and care towards them, to so little Fruit and Reformation; and so little thanks from them, from whom it is most especially due. That in their Visitations (at least) may cease that Dialect, better becoming the *Mouths of Hollers* and Padders, *than Registers* and Secretaries of Holy Bishops, namely —— *Come* —— Clergy-man —— *deliver your Purse* —— your Purse —— *for Visitations*; Synodals, (sewing of Holy-Orders, and Procurations.

Archdeacons have all *good fat Cures*, (so they call the Lands and Tenements, (a kind of Glebe) annex'd for ever to their Archdeaconries; they need not *pinch the poor Parson*, that every body pinches.

Pharaoh's Lean-kine indeed, did eat up the Fat ones; but *for the Fat ones to devour the Lean*, is a Prodigy *not to be dreamt of*, or imagin'd.

Visitations made by Bishops and Archdeacons, have for their Warrant (as some alledge) the Practice and Example of St. *Paul* and *Barnabas*, Acts 15. who went to *visit the Brethren in every City, where they had Preached the Word of the Lord, and to see how they do*. And *Paul* went through *Syria* and *Silicia*, confirming (mark that) the Churches.

Acts 15.36,42.

So that the work of a Visitation was to *confirm (or strengthen)* the Converts, by preaching again the Word of the Lord to them; *Not*, by a perfunctory-mumbling over a few canting Words over Childrens heads, as Popish-Bishops do (mimically) in pretence of imitating St. *Paul*, who went to confirm men to the Faith, whereby no flesh alive can possibly be enlightened, instructed, or *confirmed, or strengthened in the Faith*.

Nor did St. *Paul* send his *Summer* before him, commanding the Disciples or Brethren to come and meet him at such a great Town, where there is a great Church and a great Tavern, and be sure to bring their Purses with them too; or if they could not *both* come, that then *of the two*, they should be sure to send their Purses however, by some Neighbour, though they could not come in person, that so the Attonement and Peace might the better be made.

— If Cross-grain will not come, then let him stay,
(Let him but send his Purse) still keep away.

'Tis an unpardonable sin to come to a Visitation and forget your Purse; nay, or to bring it empty: You may with empty Purse part with your Letters of Ordination, Institution, Induction, &c. but there is *no redeeming* them *without Money*; never Man yet in all my Intelligence found any other Redeemer —— of them, save Money —— Money.

Rog. Hoveden *Annal pars post* 807.

And yet the first Archbishop, in his first Visitation after the Conquest, namely, *Hubert*, Archbishop of *Canterbury*, in the *Council* of *London*, *Anno* 1200. did ordain that no Procurations, or other Money, Toll, or Exactions, should be paid in Visitations, in these very Words. *Prohibemus ne subditos suos Talliis & exactionibus Episcopi gravare presumant. Cum enim dicit Apostolus, non debent Filii Thesaurizare Parentibus sed Parentes Filiis multo longe a pietate paterna videtur, si prepositi subditis suis graves existant, quos in cunctis necessitatibus Pastoris more debent fovere.*

Archidiaconi aut sui Decani, nullas exactiones vel Tallias in Presbyteros seu Clericos exercere presumant, &c. He that likes, may read more of these Decrees two and twenty years after; namely, 1222. *Council. Oxford*, by *Stephen Langeton* Archbishop of *Canterbury*, and four years after confirmed by *Otho* the Popes Legate. *Concilio Londini. Anno* 1226. and by *Otho* the Popes Legate, and the Council under him, *Anno* 1248. and before that, by the Diocesan Synod held at *Salisbury*, *Anno* 1217.

Spelman. *Concil. Tom.* 2. p. 156, 220, 221, 265, 380, 381, 48, 489, 576.

Is it not strange, that a Bishop, and a poor Bishop too, should call a Synod to cry down these oppressions! and yet it was done in the year aforesaid by *Robert Poor* Bp. of *Sarum*. And *An.* 1287. by *Peter Quivil* Bp. of *Exeter*. And by *Walter Reynolds* Archbp. of *Canterbury*, and *Conc. Lond.* in the Reign of K. *Edward* II. And by *John Stratford* Archbp. of *Canterbury*, *An.* 1342. *De visitatione & procuratione Archidiaconorum & aliorum ordinariorum.*

But all the Visitations of old made by Bishops or Archdeacons were *Ecclesiastim*, like that of St. *Paul's* and *Barnabas*.

For to send out Citations to Ministers, Church-warders, and Sinners, and little Children to come to be Confirm'd, &c. at such a great Town; They rather go to visit the Bishop, than the Bishop to visit his Brethren, as St. *Paul* did, *Ecclesiastim*, from Church to Church.

Thus Topsy Turvy can Visitations now become; as if the Minister that is enjoyn'd *to visit the Sick*, (in the Common-Prayer-Book) should send out his *Apparitor*, and command the Sick person to come and visit him; or at least, give him a meeting at such a Church, and such a Tavern, and then he shall hear what Prayers he will say over him.

St. *James* says, *Jam.* 1. 27. *pure Religion and undefiled before God and the Father, is this, To visit the Fatherless and Widdows*, &c. What to do? To pill them and poll them; No surely, that would not be a very *pure Religion*, except of such a pure Religion as is made up of *pure Money*; the Fatherless (I suppose) *like not* the visits of such kind of Fathers, they had rather they would keep away; and not help to make them poorer, and add Affliction to the Afflicted; *as* such Visiters better have their *Room* than their *Company*; Is *this your Kindness to your Friends* when you come to visit them? Hah?

Indeed I find that Allowance is taken care for, (in Visitations of old) but what? Not Money; but Food and Drink, such as the poor Vicar and his Family makes shift with, but *never*, never any Money in ancient time. For which let him that lists consult *Wil. Lindewood* in his *Provincial Constit.* l. 3. *de Confessus & Procurationibus*, f. 159, 160. *Johannes de Aton* in his Glosses on *Otho's* and *Othobon's* Constitutions, f. 43, 89. *Angelus de Clavasio* in his *Summa Angelica*, Tit. *Visitatio*. also *Gratian.* Distinct. 42. cap. *non oportet*. Also *Concil Lateran. sub* Innocent 3 *Pap.* An. 1215. cap. 33, 34. Also Concil. *apud Castrum Gunter.* An. 1251. Concil. *apud Salmur.* An. 1253. *Synod. Andegavensis*, An. 1263. Concil. Provincial. *apud Lanegres*, An. 1264. *Concil. Burdegal.* An. 1582, &c. collected by *Laurentius Bochellus*, Decret. Eccles. Gallican. lib. 5. Tit. 15. *De visitatione, Procuratione, & personis quibus commissa est potestas visitandi*. Also Concil. *Coloniens* An. 1549. Concil. *Trident* Sess. 24. *de Reformatione*, cap. 3. *Thomas Zerula in his Praxis Episcopal.* par. 1. Tit. *visitatio.*

Surius Con. *Tom.* 3. p. 746.

They all concur —— *Ut nullus Procurationem recipiat nisi in Locis visitatis duntaxat; & tum, Tantum victualibus a locis qua visitantur*; That Meat and Drink, when the Visiters are a-

thirst

thirst or hungry, shall be given them, but not one Farthing of Money. For, says the said Council of *London*, *Anno* 1200. The Children ought not to lay up for the Parents, but Parents for their Children; How far is it then from the Piety of Fathers, if rich Prelates, that ought, like good Pastors to provide for the wants of their poor Flocks under them, should be burthensom to their Inferiours?

And therefore the said *John de Aton* in his Gloss on that clause of *Othobon*'s Constitution, *f.* 89. hath these Words; viz. *Nos tam Ecclesiarum indemnitati quam Prelatorum saluti consultius provedentes districtius inhibemus, ne quis eorum Procurationem (que ratione visitationis debetur) ab Ecclesia quacunq; recipiat, nisi cum eidem visitationis officium impendit, qui vero receperit donec restituerit ab Ingressu Ecclesia sit suspensus*; (By this Law then the Bishops and Archdeacons must make restitution, of all the Moneys they received for *Procurations*, or else be *Suspended*, and not suffered to enter into the Church, until they restore those ill-gotten Goods.) *Et hac ratio forte movet Episcopos hujus Regni, qui in Visitationibus suis Procurationes ab Ecclesia communiter non exigunt; quia ad singulas Ecclesias ob causam Visitationis non declinant, sed ex plenâ personas visitent tam Clerum quam populum; ob hanc causam nunc ad unum locum, nunc ad alium congruum convocando; cum tamen Procurationem debeant recipere tantum modo de locis visitatis.*

In short, *Visitations* of old were to a good end, like that of *Paul* and *Barnabas*, by preaching the Word again to them, to *confirm* them, or *strengthen* and corroborate them in the Faith.

Afterwards, this Godly usage became a Trade, but never till there was Money to be got by it: a nusance, that Pride and Covetousness invented, and continues in spight of the Laws and Canons of God and man.

For which cause the learned French Bishop *Claudius Espencæus* complains in these words: *Comment. in Epist. ad Titum, c. 1.*

— *Minores non tantum Episcopi sed ut Archidiaconi, eorumque multi officiosi (absit verbo invidia, nam de malis loquor) Officiales & Vicarii, dum Diœceses & Parochias obequitant, non tam facinorosos & criminum reos pœnis & correctionibus à vitiis deterrent, quo fine Peregrinationes hujusmodi olim jure fuerint jure canonico ordinata, quam pecuniâ præsenti & numerata, titulo Procurationis, ne dicam sittitia Jurisdictionis exemptum, & exigunt tum Clericos, tum Laicos.*

First, they bring their *printed Articles* for the Church-wardens of every Parish to buy, (and though they have half a score of them) which the Parish has bought ten years together, yet still they must buy a new Book every year, or lay down the money for it, and then you may chuse whether you will take it with you or no. Then also the Church-wardens must swear to keep and observe those Articles; And are not all that do so, forsworn? Then they must give money (*a gratis*) for being sworn; then they must swear to Present, and if they do not make a Presentment, they are Excommunicated; if they do put in a Presentment, (usually written in Court, and very brief, with an *omnia bene*, for which they pay a shilling) then also for putting in the Presentment a shilling more: For three shillings and six pence, or three shillings and eight pence, a Church-warden may escape cleverly. But saith the said *French* Bishop, the Minor Bishops and Arch-deacons, and their *wicked-officions* (pardon the Word, for I speak only of the wicked) *Officials*, and *Vicar-generals* in their Visitations, do not so much deter men from sin, by punishing the criminals, as to *drain their Purses* by exacting ready monies, of the Clergy and Laity, by the name of Procurations, and I know not what feigned Jurisdiction: Thus the said good Bishop *Espencæus*.

And therefore in the greatest height of Popery in *England*, the Kings Judges and Justices in his Temporal Courts have usually decreed, that Excommunicate persons shall be absolved (*clave errante*) when the Judges disallowed the cause for which a man was Excommunicated: And many Actions of the Case have been brought against the Arch-deacons, &c. for Excommunicating men for things out of their cognizance, and exceeding the limits of their Ecclesiastical Jurisdictions; namely, when they meddle with the right of Patronage, *except Churches*, (being Lay-Fees, &c.) and have made them *pay smart* for being so *saucy* and pragmatical.

One instance in one Pat. 18 Edw. 1. m. 26. *De libertatibus liberarum Capellarum Regis, &c. Rex omnibus, &c. salutem. Inspeximus literas celebri, memorie Domini H. Regis Anglie patris nostri sub hac forma. Henricus Dei gratia Rex Anglie, Dominus Hibernie, Dux Normannie, Aquitanie, & Comes Andegavie. Omnibus ad quos, &c. Cum plures in Anglia Capellas habeamus exemptas, quarum libertates locorum Ordinarii infestant, &c. Rescriptum ipsius Apostolicum de verbo ad verbum sic duximus subscribendum.* Innocentius *Episcopus Servus Servorum Dei, karissimo in Christo filio Regi Anglorum illustri, salutem & Apostolicam benedictionem. Tanto libentius, &c. Celsitudinis tue precibus benigno impertimur assensum, quanto inter Reges & Principes Christianos te specialiori reputamus dilectum filium & devotum: Tuis itaque supplicationibus inclinati, districtius inhibemus, ne illos Ordinarius, aut etiam Delegatus vel Subdelegatus in Capellas Regias & Oratoria eorundem Ecclesie, Romane immediate subjecta, &c. Excommunicationis vel Interdicti sententiam audeat promulgare, seu aliquod ipsis onus imponere, quod aliis exemptis Ecclesiis, &c. Nulli ergo omnino hominum liceat hanc paginam nostre inhibitionis infringere, &c. Si quis autem hoc attemptare presumpserit, Indignationem omnipotentis Dei, & beatorum Petri & Pauli Apostolorum ejus Noverit incursurum. Dat.* Lugduni, 12 *Kal. Augusti, Pontificatus nostri anno* 3.

What a doe was here made? what care taken? what Intereſt made by a great King at the Court of *Rome*? for what? for nothing in the world but to keep the King's exempt Churches and Chappels free from the Biſhops Impoſitions and burdens; the Pope reſerving them for his own Tooth: for ſo it follows in the ſaid Bull, ——*abſque mandato ſedis Apoſtolicæ ſpeciali.*—— This in Engliſh ſounds like that of the Lawyer, to his brother Attorney:

——— *Loving Brother,*
Pluck thou one Goose, and I'le pluck t'other.

I am confident the Brethren all over *Syria* and *Cilicia* were mighty glad to ſee *Paul* and *Barnabas*, when they went lovingly to *viſit the Brethren and ſee how they did do*: They did not make Friends, nor beg,— ſaying, *Let me be exempt*, and *Let me be exempt*, but certainly were *very glad to ſee them*; for thoſe *Viſitors* came to do them *good*, not *harm*; to ſtrengthen their Faith, not to weaken their Eſtates; to enrich them with Graces, not impoveriſh them with Extortions and Oppreſſions; with hand and heart to better them, not with hand in Pocket to beggar them: like thoſe wretched Prelates St. *Bernard* complains of, *Quem dabes mihi de numero Præpoſitorum qui non plus inviſilet ſubditorum evacuandis marſupiis quam vitiis extirpandis?* ſhew me ever a Prelate of them all, that is not more rare at emptying the Pockets of them that are ſubject to them, then in extirpating prophaneſs? *Bern. Serm. 77. ſuper Cantica.*

Non eſt cuſtodire, ſed perdere; non ornare ſponſam, ſed ſpoliare; non eſt defendere, ſed vaporare; non eſt inſtituere, ſed proſtituere; non eſt paſcere gregem, ſed mactare & devorare; dicente de illis Domino, Qui devorant plebem meam ut cibum panis; & quia comederunt Jacob, & locum ejus deſolaverunt. Et in alio Propheta; peccata populi mei comedent; quaſi dicat, peccatorum præda exigunt, & peccantibus debitum ſolicitudinem non impendunt. This is not to *defend*, but to *offend*; not to *adorn* the Spouſe of Chriſt, but to make her *forlorn*; not to protect, but ruine; not to inſtitute, but to proſtitute; not to feed the Flock, but to eat and devour it; as ſaith the Lord concerning them, *They eat up my people as they eat bread*: they have devoured *Jacob*, made waſte his dwelling-place. And in another Prophet, *They eat up the ſin of my people*; (that is to ſay) They exact Money of Offenders, and are more diligent to make them pay for their Sins, than cure them of their Sins. So that as good ſtore of differences and diſſenſions (that makes other men break) makes the Lawyer ſound and whole; And as a ſickly Autumn is the Phyſitian's Harveſt; ſo a wicked Dioceſs made the fatteſt Prelate, it ſeems (in St. *Bernard*'s time, by commuting Penance, Excommunicating, then Abſolving, then preſenting them again, and *at them again* the next Viſitation, Money —more Money. *Pſa. 14. 4. Hoſ. 4. 8.*

Succeſſores omnes cupiunt eſſe, Imitatores pauci. They would be accounted the Apoſtles Succeſſors, but few will follow the Apoſtles examples: *Ob utinam tam vigiles reperirentur ad curam, quàm alacres currunt ad cathedram*: Would they were as watchful in diſcharging the Cure, as they are nimble to get into the Chair! *Ibid.*

Sed & litteris forſitan mandentur iſta quæ dicimus, dedignabuntur legere: aut ſi forte legerint, mihi indignabuntur, quamvis rectiùs ſibi hoc facerent.

But it haply, (ſaith St. *Bernard*) what I now ſay ſhould be committed to Writing, they would not vouchſafe to read the ſame; or if they did, they would be raging mad at me, whereas by right and good reaſon they had more need be enraged againſt themſelves.

Theſe *Spiritual-Gluttons* had need to *go to School* to the Heathen Poet, and learn his Common-prayer.

Sit mihi quod nunc eſt, etiam minus, ut mihi vivam
Quod ſupereſt ævi, ſi quid ſupereſſe volent Dii.
Let me but keep the pittance that I have,
Nay, though 'twere leſs than 'tis, I no more crave;
'Twill ſerve to help me (jogg on) to my Grave. *Hor. lib. 1. Ep. 18.*

Placita & Aſſiſa capta apud Northampton *in craſtino natalis Sancti* Johannis Baptiſtæ, *Anno Regni Regis* Henrici *filii Regis* Johannis *tricteſimo primo*; *Coram* Rogero *de* Thurkelby, *& ſociis ſuis Juſticiariis.* *Rot. 24. in alb. Tur. Lond.*

—*Eſſoniator* Dragonis *de* Staunton, *&* Henricus *filius* Roberti *Eſſoniator* Aliciæ *de* Staunton *obtulerunt ſe quarto die verſus Magiſt* Nicholaum *Archidiaconum de* Bathonia, *de placito, quare tenuit placitum in Curia Chriſtianitatis de feodo ipſorum* Dragoniis *&* Aliciæ *de* Staunton, *contra Prohibitionem, &c. & verſus* Walterum *Perſonum, &c. & verſus* Wil. Lentencley *de placito quare ſecutus eſt placitum in curia Chriſtianitatis de laico feodo, &c. contra eandem Prohibitionem, &c. Predictus* Walterus *occaſione predicti diſtrictionis fecit ipſos citari coram officiali Archidiacono* Bathoniæ *apud* Briſtol *in Eccleſia S. Mariæ de la* Redeclyve; *Et cum ipſi detuliſſent eidem* Waltero *Prohibitionem Domini Regis, ut predictus* Walterus *Placitum illud amplius ſequeretur, idem* Walterus Spreta *Prohibitione Domini Regis, ſecutus eſt placitum illud in curia Chriſtianitatis coram Archidiacono* Bathoniæ *de die in Diem & fecit ipſos Excommunicari, &c. unde dicunt, quod deteriorati ſunt & damnum habent ad valentiam* 10l. *& inde producant, &c.*

Et Præceptum eſt eidem Waltero *quod interim Abſolvi faciat Predictos* Dragonem *&* Aliciam *ſectam, &c. Et poſtea per preceptum Juſticiar. de nunciavit ipſos a ſententia illa abſolutos, &c.*

This, (amongſt many others, wherein I could inſtance) is but to ſhew that *the King's Judges*

Judges did controul the inferiour Jurisdictions, (called Ecclesiastical) and *Judges* whether the cause or contempt deserved Excommunication, and accordingly commanded *Absolution*, &c. as I have known the Lord Chief Baron, (in his Majesties Court of Exchequer) about seven years ago, command Doctor *Lake* (Commissary of *Lincoln*, and then in Court) to absolve one *King*, *&c.* to which the *Doctor* making some tergiversation, the Lord Chief Baron threatned to lay him by the heels for his contempt.

For it is great insolency, for a Commissary, Official, or his Master, the Arch-deacon, to excommunicate in their Courts and Visitations the Kings Subjects, except by Authority and Commission from God or the King.

From *God*, they have no power to excommunicate or to hear Causes, then hath any Parish-Priest in his Parish, if so much: And if they have a Commission from the *King* (let them shew it) but when they have shewn it, I dare say it will run, with submission to His Majesties Decrees in his superiour Courts; *Courts* of Record at *Westminster*; *Courts* of good and great use; *Courts* that have his Majesties Authority and Commission to shew for what they do; *Courts* that do not bear the *Sword in vain*; *Courts* that are not made up only of an empty noise of Curses and Anathema's, thundring and cracking as if they came from Heaven, when all is but ——*vox & præterea nihil* and not of little or no use, but to vex and weary out the Supplicants, Suiters and Attendants, by enriching some *few* (not of the *best* of mankind) with Money, —— Money.

And on the contrary; how careful have our Kings of *England* been rather to encourage *Parish-Ministers*, that labour and look after the Flock, even in times of Popery; as for instance in this Brief, *sub privato sigillo Edwardi 1. anno regni ejus 32.* in these words.

Rex dilecto sibi Ricardo Oysel, *Ballivo suo de* Holdernesse, *salutem. Mandamus vobis, quod de exitibus Molendinorum nostrorum in Ballivâ vestrâ faciatis Decimas dari Personis Ecclesiarum in quarum Parochiis Molendina ista existunt, prout alii Magnates de regno nostro, ac hominum pars tium illarum Decimas dant de exitibus Molendinorum suorum. Et nos vobis inde in compoto vestro ad Scaccarium nostrum debitum allocationem fieri faciemus. T. R. apud* Westm. 20. *die* Octobris. *Per breve de privato sigillo.*

And good reason (sure) had that valiant King to give all due encouragement to the Inferiour Clergy, if we consider how he was affronted, and defy'd and *brav'd* by the *Prelates*, especially by *Robert* Arch-bishop of *Canterbury*, so that the King was forc'd *to put* all the Rebellious Prelates and Clergy *out of his protection*, seizing their Goods and Revenues, until they (at long-run) submitted themselves, after a tedious *Bustle*, (to which they were encouraged by Pope *Boniface*.) *Polid. Virgil Angl. Hist. l. 17.*

I know that the King granted his Favour afterwards and Protection to the said stout Arch-bishop *Robert* and the rest, and suffered the said Arch-bishop to stand by him and his Son upon *a wooden Scaffold* (erected before the Gates of *Westminster-Hall* for that purpose) when with many Tears the King askt Pardon (with all Humility) not the Arch-bishop's Pardon, but that the People would pardon him; but it was not for his humbling the prond Clergy as afore said, but for his Arbitrary Government; *Dicens, se minùs bene & tranquillè quam Regem decuerat ipsos rexisse, &c. Rursum, ut libertates contentas in Magna Charta, & de Foresta, in usu earum efficacius haberentur, & voluntarias super his exactiones inductas, de cætero quasi in irritum revocaret, petentibus Comitibus & Baronibus; Rex Articulos in prædictis chartis contentos renovari insuper & observari mandavit.* Henry *de* Knyghton adds, *Rogavit; Populum accepto licentia, ut omnia condonarentur ei, & orarent pro eo; & orabant quidam publicè, alii verò sic, alii verò occultè, pauci verò bene.* *Walsingham Hist. Angl. p. 36.* *Mat. West. An. 1297. p. 409, 410. Ypodigma Neustr. p. 84.*

Anno 32 *Edw.* 1. this King was again affronted by *Thomas Corbridge*, Arch-bishop of *York*.

For when the King by his Letters Patents granted to Mr. *John Bonbs* the Prebend of *Styvelington* in the Church of St. *Peter* in *York*, and commanded *Thomas Corbridge* the new Arch-Bishop to admit him, *&c.* after two successive Mandates, he neglected to do it, to the King's damage 10000 *l.* (as in the Plea Rolls of Trinity Term held at *York*, 32 *Edw.* 1. is at large expressed.) To be seen in the Receivers Office of the King's Exchequer at *Westminster.*

Thereupon the Arch-bishop being summoned to answer this contempt before the King's Justices, he appearing, answered; 'That he was always ready to obey the Kings commands, 'so far as he could; but he could not admit the King's Clerk, because the Pope had confer-'red the said Prebendary, and Chappel thereunto belonging, on his own Clerks, of whom 'they were now full; and that he could not make void the Act of the Pope, his Superiour 'Lord, nor deprive or remove his Clerks; And therefore prayed the King to hold him excu-'sed; refusing to give any other answer.

Whereupon Judgment was solemnly given against him, 'That what he alledged was no 'sufficient cause for him not to execute the Kings commands, and that all his Temporalties 'should be seized into the Kings hands for this his contempt, *&c.*

By which we may see, that even in times of Popery, the Kings of *England* have opposed the Popes Innovations and Usurpations, and the Kings Justices have taken cognizance of these Ecclesiastical matters; and that no Forreign Mandates or Bulls were pleadable in the Kings Courts, in bar of the Kings Writs; and that long before the Reign of King *Henry* 8. obedience to the Pope before the King, was adjudged a very high contempt in Law, and had a suitable punishment; and that the Kings Temporal Courts had Soveraign Jurisdiction over the Ecclesiastical Proceedings, which is also more evidenced by the several sorts of Man-

dates and Writs, even in times of Popery, frequently issued out against Arch-bishops, Bishops, Ecclesiastical Judges and Ordinaries, commanding them to do *this* and *that*, and prohibiting them *not to do this* and *that*; witness the Writs of *Quare impedit*, *Quare incumbravit*, *Quare non admisit*, *de Clerico admittendo*, *de copia libelli deliberanda*, *de permutatione Beneficiorum*, *de revocatione Præsentationis*, *de Residentia faciendâ*, *de cautione admittendâ*, *de Assisa ultimæ Præsentationis*, *cessavit de Cantaria*, *de Nonresidentia pro Clericis Regis*, *de Præsentatione ad Ecclesiam*, *Prebendam*, *Capellam*, &c.

Trallon.

Nay, (it seems to me that) even in times of Popery, the Kings Judges would take no notice of any Excommunications, but what were decreed by the Bishop himself, or one that hath ordinary Jurisdiction, and is immediate Officer to the Kings Courts.

Cook. Instit. 134. 2.

Because only upon the *Significavit*'s of Arch-bishops, and Bishops only, or such as have ordinary Jurisdiction, shall be issued out the Writ, *De excommunicato capiendo*.

Cook. Instit. Sect. 201.

For if a Bishop do not certifie the same upon his own knowledge, (but *only by hear-say*) or the *Certificate* of another Bishop, (and by parity of reason, of any other man, as his Commissary, Arch-deacon, *&c.*) such *Certificate* is not sufficient.

And of these Ecclesiastical Proceedings the Kings Justices are the only Judges. Much more are they Judges at this day whether these Procurations and Visitations shall be paid, being so contrary to *Magna Charta*, as well as against the Canon-Law, Equity, Reason, and Conscience.

And also Judges whether the Seal to the *Significavit* be a legal Seal according to Statute, and whether all the Processes have been made in the Name and Stile of the King, as well as Seal'd with the King's Arms? For (all the reason in the World that) if the Clergy will take in (to help them on with their Ecclesiastical Ordinances and Jurisdiction (*The King's helping hand* to conduct all Men to the Goal whom they have delivered to the Devil; that their proceedings also should be, as the Law enjoyns, in the Name (Stile, and under the Seal) of the King.

But strange also is the Practice at this day in their *Spiritual-Courts* in many particulars; I'le Instance but in *two* at present, this discourse more properly coming under another head. One is in the Case of *Probate of Wills*, the other is in *the Case of Excommunication*.

The Practice at this day, as to *Probate of Wills*, (wherein Lands, Tenements and Hereditaments are given and granted) is for the Register to keep the Original Wills, and give the Executor only a Copy of the Original-Will, to which Copy they affix the Seal of the Court.

Estates disposed by Will are usually in Prejudice of the Heir at Law, and yet if the Heir by Will have a Tryal at Law with the Heir at Law, and show the Will prov'd under the Seal of the Court, he will lose his Lands for all that; for the Judges at this day will take no Notice of it; and if he goes to get the Original out of the Register's Hands, (sometimes 'tis lost, and cannot be found for Love nor Money, then *farewel Land*, for that's also gone *out of all Recovery*; or, if the Registers do happen to stumble upon the Original, they will not part with it except you give them a thousand pound Bond, and good Security to return the same; and also 40 *s.* or 50 *s.* it usually costs over and above; I know it to be true by woful Experience; to the ruine of many a Man's Estate, to the defeating the Will of the deceased, and in defiance of the Statute 21 *Hen.* 8. *c.* which commands them to affix the Seal of the Court to the Original-Will, in such cases where Lands and Hereditaments are bequeathed, and deliver it to be kept by the Executor, or Party concern'd; for who can safer keep a Man's Deeds than himself? and for the *Copy*, they ought to take but one peny for every ten lines thereof, whereof every line to contain ten Inches in length.

21 H. 8. 5.

So that (if the Question be ask'd again, What are the Spiritual-Courts good for?) Are they not good at acting in defiance of the Statutes of this Realm? And have they not always been good at that, as in many Instances Appears in this Discourse? I will not Advise (*tho'*) that to make them good and *wholesom*, they should *be dreſt* and *be dreſt*, as the *Dutch* Advis'd his *Patient* to dress Cucumbers, with which he had long been enamour'd, to the ruine of his health; namely, To take the Cucumbers and slice them, and wash them in Vinegar, *then* in Salt and Water, *then again* in Vinegar and Salt, and *then* in Vinegar and Pepper, and *then lastly* (the onely way to keep them from being mischievous is) to throw them to the Dunghil.

But certainly Errors from the Rule, from the Rule of holy Scriptures, the further they go, the further they go astray; and it can have no colour of charity, or pretence from God or Christ, or the holy Scriptures, to deliver precious Souls to the Devil: for want of paying the Knave a Groat; if their Excommunications were (as they pretend) a real delivery to Satan, *a precious Soul* (for whom Christ dyed) is *too cheap* in all conscience to be fairly delivered to the Devil for the value of a Shilling or two.

But (that the best on't is) they'l redeem it again also for *as cheap a Price*; a Man would wonder such mischiefs should be no more taken notice of, except the Fellows are look'd upon to be so contemptible, as that no wise Man heeds them nor their Blunder, nor their Thunder.

Another miscarriage is, That whoever the Register with some *little Surrogate*, (whom the Register leads by the Nose) for the blindest and the willingest to be so led, is the *fittest Prosecutor*) shall excommunicate, though but for want for paying the Register his Fees, illegal

and

and unjuſtifiable Fees; all Pariſh-Miniſters are bound to deliver their Flock ſo excommunicated to the Devil, or declare the ſame (*ſo to be*) publickly in the Church, though he knew nothing of the merit of the Cauſe, nor of the due courſe of Proceedings.

But *that's not all*, a worſe miſchief is yet behind, namely, *The Biſhop*: The Biſhop (upon the *Certificavit* of the Arch-deacon's Regiſter) grants his *Significavit*, without hearing any thing of the Cauſe; ſo that, as *Papiſts* believe, as the Biſhop of *Rome* believes, ſo here quite otherwiſe (yet no better) the Biſhop believes as the Regiſter of the Arch-deacon's Court believes, and whatever *he certifies* to the Biſhop, he *ſignifies* into the High-Court of Chancery; ſo that is uſually more ſafe to diſpleaſe any Lord in the Land, than a little, ſtingy, ſneaking Regiſter that bought his Place, and muſt make his beſt on't. 5 Eliz. 23.

And we may ſay of theſe pittiful Fellows as was ſaid of Pope *Alexander* the 6*th*. his Symony, in ſelling ſo many Benefices, Cardinal-Caps, Indulgences, *&c.* as he was Pope, having firſt by Bribes purchas'd the Popedom:

——— *Emerat ille prius,*

Why ſhould not Chapmen ſell their Ware, When aboveboard they bought it fair?

Synodals are certain yearly Exactions, paid by every beneficed-Prieſt to the Arch-deacon out of every Benefice in every Arch-deaconry yearly and every year, throughout the whole Kingdom of *England*.

Originally, They were given to the Clergy voluntarily, for the maintainance of their *two Procurators*, which were in every Arch-deaconry throughout *England*, choſen by the inferior Clergy, to repreſent them and vote for them in the *Synod*.

In imitation of the Wages allowed to the Knights, (4 *s. per diem*) Citizens and Burgeſſes (2 *s. per diem*) for every day they Sit actually in Parliament, for which there are ſeveral Statutes of old time made, but ſeldom or never in theſe days put in uſe and practiſe, except here and there by ſome *needy man*. But however there is a Law for this, but Synodals are againſt Law, and therefore they differ (only) as right and wrong.

Beſides, They were *Free-will Offerings*; but now they are commanded and *exacted* as a Tribute to Mr. Arch-deacon in pain of Suſpenſion, Excommunication, ſilencing *ab officio*, (you ſhall not pray nor preach till you pay him, nor adminiſter the bleſſed Sacraments, you ſhall not ſerve God, nor ſo much as come into the Church, till he be firſt ſerv'd, (that is) paid) And alſo your Benefice too ſhall be fleec'd, he will *go ſhares*, or the Miniſter ſhall have *no ſhare* at all.

And yet originally this was conferred in kindneſs to the two Procurators, that were choſen to be Repreſentatives in the Convocation, and for their encouragement to perſwade them to accept the Place, in behalf of all the benefic'd Miniſters of that Arch-deaconry.

But what do you tell Arch-deacons of *Originals*, or whence the Procurations and Synodals came originally? Very few of them know that, and if they do, they deſire not the knowledge of theſe ways, *Rem, rem, quocunq; modo rem.*

If they be *for Canons*, why do not the Biſhops ſuſpend all the Arch-deacons, and excommunicate them *at leaſt with the leſſer* (for ſo they diſtinguiſh) *Excommunication, ab ingreſſu Eccleſiæ*, till they repent of their Wickedneſs, and till they make Reſtitution, as the Canons enjoyns? And why do not then alſo the Arch-biſhops excommunicate the Biſhops according to that Canon, until they repent, and make Reſtitution, to the poor Clergy? (They have made younger Brothers of them (to be ſure) long enough.) *Brothers*, quoth he? If this be the kindneſs of Brothers and Brotherly-kindneſs, we'l even diſclaim the Kindred at this rate; *I hate the Friendſhip that muſt be bought.* I know the *Synod* does not ſit uſually three days during a whole Seſſions of Parliament; no matter for that; *Synodals, Synodals* the Arch-deacon will have, right or wrong. Indeed the Parliaments now adays have got an opinion (as aforeſaid) to ſee with their own eyes, *ſaving their preſence*, and therefore though preſent in Synod, they ſit long enough before they ask them a Queſtion, or ſend to them of late days; *no matter ſtill* —— Arch-deacons will make the poor inferiour Clergy pay *notwithſtanding they do not ſit*; ſtrange People! what will you *take a man's money for nothing?* So impoſſible it is for any man that ever came in their fingers, to get out of their clutches. The *Rich man* (in the Parable) was tormented in the Flames of Hell? for what? for robbing poor *Lazarus*? No, (he was not ſo vile) but for not relieving him according to his ability, and yet he did relieve him with a niggardly Benevolence—the Scraps and *Crumbs that fell from his Table*, (ſome Crumbs of comfort in that.)

But our richer Dignitories, though they *ſare deliciouſly every day*, and have lufty Revenues, *&c.* yet that ſatisfies not, except alſo they *grind the faces of the poor* Vicars, againſt all Conſcience and Equity, as well as againſt Reaſon and Law.

If it be a ſin to drink *Wine in Bowls, and not be affected with the afflictions of* Joſeph; what is it to *add affliction to the afflicted*; and help to load the Back that is already ready to break? Hard is his heart that can find in his heart to rob the Spittle.

In the Primitive-times, (and long after) no Biſhops were elected but by the People, and benefic'd Clergy of the Dioceſs; *then* by the Clergy; *after that* (in Times of Popery) by the great Clergy-men, *the Dean and Chapter*, to whom the King ſends the *Congé de Eſlire*, nominating (*tho'*) therein who he will have them elect, and *'tis well enough*. But I name it for this, to wit, That the Primitive Chriſtians and Clergy, (by whoſe Suffrages) one of their

John de Athon in Gloſſ. in conſtit. Othon.

Brethren were advanced over their heads, it could not be expected in all gratitude and ingenuity, but the new advanced Bishop should be *kind and loving* to his Brethren of the Clergy, and do them *all the good and grace* he could, and misimprove his power to do them all the *mischief or disgrace* he can; if his Power be of *the same stamp*, (and like the Apostles) that was for *edification* (as aforesaid) and not for *destruction*.

Of Churchwardens.

Query III.

Whether Churchwardens be Lay-men or Clergy-men?

BY what has been said, the Remove is very short and easie, from a Clergy-man to a Lay-man; and a way neither longer nor more difficult, than from a Lay-man to a Clergy-man; which certainly is not very far.

It would as much have puzzled our learned ones to know by what name to have call'd St. *Paul* if they had catch't him a Weaving (as aforesaid) Whether a Clergy-man or a Lay-man, as to answer this Query, *What kind of Creature* (as to Ecclesiasticals,) *is a Churchwarden?* If we find him at Plow, we are apt to think him a Lay-man; but if we find him, (as he is made by Statute) *a Bishop or Overseer* of the Poor and serving Tables, (the sole Office of a Deacon in the Primitive-Times) why is he not as much a Clergy-man as any Deacon, or as those 7. Deacons Chosen? *Acts* 6.

Like an Impropriator's Mastiff kind,
Whose Scarlet Coat is with a Cassock lin'd;
So mixt they are, one knows not whether's thicker,
A Lair of Burgess, *or a Lair of* Vicar.

The Papists have 7. kind of Orders. And all of them, as well as Priests, are examin'd, and their abilities approv'd by the Bishops, before their Graces pass, namely, *The Door-keepers, Readers, Conjurers, Taper-bearers, Sub-Deacons, Deacons, Priests.*

The 3 *last* of these, namely, Sub-Deacons, Deacons, Priests, are onely accounted *Holy Orders.*

Our Churchwarden's office, is much the same with the *Sub-Deacons*, (not the *Conjurer's*.) Few of them are guilty of that; if they were, sure they would not take the following Oath of Churchwardens usually given to them, in the Spiritual-Court.

Our Churchwarden, indeed, does not read the Epistle, nor perform any Publique Sacred Office, as the Deacons, and Sub-Deacons do amongst the Papists; but his cheif nie amongst us is to take care of the Poor, and Church, and to Repair them both; to provide Bread and Wine for the Holy-Supper; And not only be the *Common-Informer for that Year*, but also to present all Offences upon Oath; so that he is not only an *Accuser*, but a *Witness*; does not only present, but in some sort also *Convict*, as being upon his Oath.

Which Oath is usually given to them in these words——

You shall Execute the Office of Church-warden in the Parish where you are chosen for this ensuing Year, according to His Majesties Laws Ecclesiastical, So help you God.

By what has been already here discuss'd, It may be evident? How difficult it is, (even for a *Doctor of both Laws*) to decide *which are those Laws* Ecclesiastical that are this day in force; and which are not so in force, but void and *of no effect*.

Some of them *swallow* the Oath glib (poor Hearts) rather than venture to be Excommunicated; then paying Three shillings and six pence, and (*if they make a Present*) a shilling more for that; and *fare you well*, till the next half-Year, (that is) the next Visitation.

But if they *be Stubborn*, and will *neither pay nor swear*, (as the better half usually do,) then they are *delivered to Satan* by Excommunication; and if they do swear, how are their Souls hazarded by down-right Perjury? The case is a Pitiful case, that's the truth on't; and deserves the wisest and greatest consideration.

I never durst give that usual Oath, but this——

You shall Execute the Office of Church-warden in the Parish where you are chosen, according to your discretion, and skill in His Majesties Laws Ecclesiastical, So help you God.

But I am quite weari'd with pudling thus long in this Channel, or rather this Kennel.

Of

Of Sacriledge.

Query IV.

Whether to keep and enjoy Abbey-lands, and Lands belonging formerly to Nuns, Friers and such Fraternities, be Sacriledge?

AS there is a *Mystery of Godliness*, so there is a *Mystery of Iniquity*. The Mother of Harlots had *Mystery writ in her forehead*: nay the publique devotions and professions to *Bacchus* and *Venus* wanted not their *Arcana's*. We read of the *depths of Satan*, and Labyrinth's in the way to Hell, (*How easie* soever the *descent* be.) The stile of *pious frauds* is the umbrage and prologue to the greatest Pride; and *Jure Divino* the umbrage of the greatest Cheats and Pick-pockets. And in Prosecutions of these Mysteries which *Rome* preserves as (*Arcana Imperii*) the Reliques and holy secrets to maintain their Grandeur and Hierarchy, They usually fence all their Immunities, Priviledges, Goods, Lands, Tenaments, and Emoluments; (as they do all their other Popish Reliques and Figments, when they begin to decay) (and which they have got by cheating Tricks, as with a Safe-guard, securing all) with a *Jure Divino*. And would make the world believe that when with their cheats of Purgatory and Indulgences they have pick't men's Pockets and got a great deal of money, The Magistrate *may not search them*, hands off; 'Tis now sacred, 'tis now divine and holy; what are you mad, to break through a *Jure Divino*? will you rob God?

Thus when a handsome Whore had made use of her time and her beauty, (whilst it lasted) which (some think) is but a very little while;) Playing them both away for *some dung, Me Beauties*, (good store of Gold;) The Crafty Friers and Monks (like the Bot-keepers: or Pimpers) were sure to march off with most of the Gains; Picking the Ladi's Pocket of (at least) half her Winnings, with a Story (told) of Purgatory and Indulgences; Thus Selling and Buying by a fair *Bargain and Sale* (and fairly by Deed inrolled, Indented and delivered in the Presence of Witnesses, as hereafter shewn,) An *Imaginary Heaven* or a Fools Paradise.

Thus the Girle kill's 3 *Birds with one stone*, and in barter for a Little, very little modesty, gets 1st. Pleasure. 2. Profit and store of Gold. 3. With one Moity of it, (after all,) Heaven it self; (*in her simplicity sure:*) whilst the Subtil Friars *laugh in their Sleeves*, to see how soon the *Fools and their money are parted*, and by *this Craft getting their Wealth*, and their finely Abbies and Monalteries; Thus building a great many * *Here-Churches* and *Fine-Chappels*.

* Thus *Hare* Church near *Romford* in Essex was built by a Popish Whore, and therefore had the name.

With these kind of Methods did the Fat Abbots and pretty Nuns subsist very Plentifully and well, and kept themselves in *very good Plight*, and *for Sinners, very well as it*, (at least) *will to live*; Sending out their Emissaries and Finders *to Hay about* and bring in more Game to net; namely, old Usurers, old Whore-Masters, nay, Incestuous persons and Murderers; *For Rome* (like the Sea and the Gallows) refuses none.

Thus having got the Fat of the Land, and every day making new Purchases, new Prizes and New-Conquests, (for fear the State that Frighted them often with their Statutes of *Mortmain*, &c. should force them to Restitution of what they thus Purloin'd for themselves and their *own greedy Guts*,) (though (in Pretence) *for God's sake*; They therefore entrench't and garrison'd themselves and their gettings with this same Outwork, (for their eternal guard and safe-guard) *Jure Divino*. And where is the man of mortals now so daring and Hardy as to venture to storm this Outwork, and pass the Trench of *Jure Divino*, for fear of *fighting with God, and Robbing God?* As if all their corrupt Conquests, (purchas'd by Juggling and Sleight) were *Deodands*, and God's Inheritance; which to touch with a *Lay-finger* (forsooth) is to *Rob God*, and down-right Sacriledge.

Sacriledge is a Term of Art, which joining forces with the said *Jure Divino*, hath done wonders (of this nature) though not one of a thousand does know what Sacriledge is.

Sacriledge is (certainly) the worst of Robberies, for it robs God by Purloining, detaining or alienating what he has been pleased to appropriate to himself. And this is the full definition or rather description of Sacriledge.

Tythes and Offering's God had set a part for himself, his own Propriety, and for his own immediate Service, under the Law. To defraud the Priests of those Tythes and Offerings is called *Mal.* 3. 8. *Robbing of God.* Mal. 3. 8.

And by like reason and express Scripture, the maintenance of Gospel-Ministers is expressly commanded, namely, Daily bread, (*not Lands and Tenements sealed upon them for ever*;) If any such there be, It is a Free-will Offering and the munifice and charity of the Law) Fee.

Our blessed Saviour says, The workman is *worthy of his meat*: (that is) *Sustenance*; but Mat. 10. 10. Lands, Manners, and Tenements in Fee-Simple for ever, Christ that was himself poor and Landless, also his Disciples, and Apostles, having neither Silver nor Gold nor a purse nor scrip to put them in, did never labour for the morrow, nor yet for the meat that perisheth; but seeking first the Kingdom of God, all other things were added unto them.

And

And if the wicked World did not maintain them, *they were to cast off the dust of their Shoes against them*, and go to them that would entertain the Word and them. But *in what proportion* their entertainment and maintainance is to be; whether the *Tenth*, the *Fifth*, the *Twentyeth*, the *Hundreth*, or *Thousandth* part of a mans Estate, is *not decided* by the Gospel.

And 'tis the idlest of dreams to say, that *because the Priests* under the Law, *the Levites* had the Tythes of the whole Land, that therefore by the same Reason, Ministers of the Gospel should have the same Proportion and Allowance out of all mens Estates, and that it is Sacriledge to detain the same:

For, is the Parson or Parish-priest the 12*th* part of the Parish he lives in, though you also number with him his Family if he have any; or are the Clergy and their Families the 12*th* part of *England*, as the Tribe of *Levi* were the 12*th* part of *Israel*.

Except this be proved, a Parity of maintainance cannot hence be argued by paying the Tenth or Tithes; unless a Parity of numbers of the Clergy of *England* bore the *like* proportion to *England*, that the Tribe of *Levi* did to *Israel*: that is, a 12*th* part.

And therefore it is all idle Dream, and a *Bug-Bear*, to call *detaining of Tithes, Sacrilege*, except it can be prov'd that God or Christ, or the Apostles ever took (or commanded to be taken) the Tenth to Gospel-Ministers (as God expresly commanded the Tythes of all *Israel* to the *Levites*); That bear no proportion in number to the Tribe of *Levi*, nor are the Tenth part, nor scarce the hundreth part of most Parishes, and yet shall lick up the whole Tenth part of the Parish.

But though detaining of Tythes from Ministers, is *not Sacriledge*, yet detaining of Tithes from Ministers, is *as great a Sin*, as (and no greater sin than) detaining Tithes from Impropriators, namely, (as other frauds and wrongs,) A *transgression* of the Laws of the Land.

Which the *wily Priests* never cared to trust to, If they could help it; nor to be beholden to; (though to the Law of the Land alone, and Acts of Parliament, they are beholden for any Tithes or portion of Tithes that they do enjoy;) and therefore they secure their Tithes with this fame *frighful* word, *Sacriledge*; and also *Jure Divino*. A Vicar has not the great Tithes; no, nor a poor man has not the great Mannors and Lordships that others have; but the poor and poor Vicars have all that is their due, and allowed them as their Propriety; and let them be thankful to God and the Laws for that; though not so great as other men's, and perhaps neither do they deserve so much as other men; however it is their Lot, and therefore poor Vicar, *Sorte sua contentus sis*, though I wish thee well and more.

For it is also Sacriledge for a Gentleman to have the great Tithes or Abbey-Lands (impos'd on by Acts of Parliament,) if he honestly purchas'd them of the Crown. But 'tis Robbery (at least in heart) for thee (poor Vicar) thus to covet thy Neighbours Goods, thy Neighbours great Tithes that never never—(no, not in the days of Popery) never were thine, nor thy Predecessors; but belong'd to the said Abbots and Nuns, from whom (by the Law of the Land) they (as being *gone by a Chaunt*) *Escheated* to the King: and never were *Gods Propriety* or Gods Purchase: (for if this could be prov'd, All the Kings and Parliaments in the World cannot take them away and Alienate them.)

But fair and softly, Though the said Whores, Extortioners, Usurers, and Murderers, &c. being deluded and Cheated with an Imaginary Purgatory, and Paradise (over the Gate whereof the Pope writes in Capital Letters, *This House is to be Let, Enquire of St. Peter* Chancellor *for the Key*.) The silly Purchasers (like those of old that bartred their Silver Spoons, Bodkins, and Tankards for the Publique-Faith) were Fob'd of their Moneys, Goods and Lands.

Deut. 23. 18. Nay, (though the Moneys and Lands, be readred to God, and by deed of Gift, (fairly Executed, Sealed and) deliver'd in the presence of Witnesses and *more altare tuo* (as Bishop *Andrews* notably observes,) who can prove that God Accepts this Tender, and (takes up the Bargain? because there ought to go always two Words to a bargain; namely, as both buyer and seller can agree. And when and where did God say that he Accepted the so cheating Purchases, these fruits of Sin, for *Donatives*?

Nay, I know that God has said to the contrary, that he will *not accept* of any such Gift, Offering, Bargain or Sale: in *Deut.* 23. 18. *Thou shalt not bring the Hire of a Whore, or the Price of a Dog, into the House of the Lord thy God, for any vow, for even both these are an Abomination unto the Lord thy God.*

It was *Politickly* done tho' to *fence* in the Abbey-Lands with a *Jure Divino*, and yet even in the days of Popery. The *wise* the wyly Priests made (*echo'd* by the silly Priests) *Sacrilege, Sacrilege*, did *not Affright* our Kings and Parliaments from making many Statutes of *Mortmain*, to stop the Current of this Cheating *Deluge* of Charity (to the Church) almost ready to drown the Common-wealth. And yet (like *Pharaoh's Lean-kine*) the greedy Priests that had *Eat up the Fat* of the Land, look'd as Hungry and *Sharp*, as if they had really kept and observ'd their *Vow of Poverty*, (and yet were the richest Cormorants in the Land:) which Vow notwithstanding some think they kept as well as their *Vow of Chastity*; (And yet they were the Archest Fellows in nature at a Wench,) Insomuch as one of their own Popes, (and the Learnedest of them all) *Æneas Sylvius*, used to say; that Marriage of Priests had *Damn'd many, but a Single Life had Damn'd many more.*

For

For which Causes (amongst other) the King and Parliament made those *Statutes* those Abbey-Lands, a just forfeiture to the Crown; And though the said old Charm *Jure Divino* and Sacrilege, Sacrilege —— have lost their wonted vigour, (as being now discover'd to be meer Stalking-Horses under whose shaddow crafty Men catch their Prey) yet still it is in use amongst us Protestants on many such Accounts: And does feats amongst the simple and unwary.

Nay, some of the Learned (whether affectedly and colourably only, or no, or else *Jure ipso* (the great Sollicitor and best Advocate, but the worst Judge) bribes their Judgments, I cannot tell) but sure I am, many of them seem to put their Faith upon it.

Thus a Learned Bishop of our own, in his Book of the Collection of the Canons, quotes another Learned Bishop deceased, In his Title-Page concerning the form of Consecration of a Church or Chappel, &c. In these very words, namely; 'Bishop *Andrews* Notes upon the 'Liturgy. It is not to be forgotten, though it be forgotten, that whoever gave any Lands or 'Endowments to the Service of God, gave it in a formal Writing, as now-adays betwixt Man and Man, Sealed and Witnessed, and the Tender of the Gift was *ſuper altare* by the Donor 'on his Knees.

A. S. Bishop of Norwich.

And why? *And why?* why a Deed in Writing, *Sealed* and *Witnessed*, and *Delivered*? And why had not God the keeping of it then? *So he had*, as near as they could come to him. *Super altare*, where they suppos'd he stood *Mist amongst'* a from a Writer, and *Transubstantiated*, (included also) *in the Pix*.

Or else I guess the Bargain and Sale had been as effectual to all intents and Purposes, though the said formal Writing had been Seal'd and deliver'd in the Belfrey, the Body of the Church, or in the Church-Yard or Moot-Hall.

But why (I wonder) is not all this Ceremony to be forgotten, now that the days of Transubstantiation are at an End with *English* Bishops? And why must this formal Story be filed up amongst the *Memorandums* of those odd Reliques and Canons? And together also with the form of Consecrating a Church or Chappel; and of the place of Christian Burial? And all this exemplified by the R. R. Father in God *Lancelot Andrews*, late Lord Bishop of Winchester.

But above all those Admirable Collections, the greatest wonder is, how any Man durst Print and revive (*as he does*) the Proclamation of King *Charles* I. wherein the Proceedings of His Majesties Ecclesiastical Courts and Ministers are Proclaimed to be according to the Laws of this Realm.

Indeed when that Proclamation was put out, They were so, The Star-Chamber and High-Commission Court being then in being, and 1 *Eliz.* 1. not repealed, but in force.

But now the Case is alter'd, and these Courts and that Law that founded them is taken away, sure the structure then built upon it, must follow the same fate, and the Church left but with just the same Jurisdiction Ecclesiastical they had in the days of Queen *Mary*, (a little before the 1 *Elizabeth* 1.) which by their own Confession was taken away from them, as aforesaid.

And therefore it is high time surely, That these Doubts were clear'd and reform'd, that both the Bishop's Jurisdiction might not be so precarious as it is: And also that the People might know (at length) *How much* of the Canon-Law, and *How many Canons*, or *Which and Clauses* be *in force* at this Day; and when and for what Ecclesiastical matters they are lyable to be Excommunicated and Goaled: or whether the Wisdom and Piety of the Realm does not think it most fit to make the same use of this same two-edged Sword, as (the Ancient Jews did) of *Goliah*'s Sword; which was carefully preserved in the Temple *wrapt up in a Cloak behind the Ephod*, and never to be made use of but by *David* himself, (and not by every Whipster that knows not how to wield it;) no, *nor by* David *another*, but in Cases of *Urgent Necessity*.

The Apostle *Paul* (that had the Gift of Discerning of Spirits, and therefore never drew this Sword in a wrong cause, (as now adays) but against the Enemy of Christ onely) never drew it neither but Twice, and that against Horrible Sinners, An Incestuous Person and Blasphemers.

And therefore though Excommunication was in use in the Church whilst the said Gifts of Discerning of Spirits were frequent, and onely against Notorious Offenders and Offences; yet Quere, Whether every Commissary, and Lay-Vicar-General (though he has a Priest by him sometimes *for fashion-sake*) did ever wield this Spiritual Weapon: or draw it upon every Occasion, as when the Register's Fees and Scribner's Fees are not paid, especially in these Days, when Men may justly scruple, whether they ought to obey their Processes as not being in the King's Name, and under the King's Seal, as the Law enjoyns.

'Tis sad thus to send Men to Satan, because they do not pay the Knave a Groat; especially when the Sumner does not Cite Men according to Law, and to make Appearance before a Court too that does not pretend to Sit by His Majesties Commission; nor by Vertue of their Original Constitution and ordinary Jurisdiction from the Pope. This to Assert, would make them Incert a *Præmunire*, what can they Say for themselves?

The Apostle *Paul* did many things that we cannot do; our Blessed Saviour did many things which would be sin in us to Attempt to do: He walk't upon the Waters, he Fasted

40 Days and 40 Nights, he commanded his Servants to take away a Man's Ass and Colt syed, we may not Attempt these things; they are above our Skill. And so (I fear) it is beyond our Skill and Abilities to wield and draw, sheath and unsheath that *Goliah*'s Sword of Excommunication; Especially, when Men offend *onely our Interests*, and not the Law of the Land; and yet it is often brandished against this sin of *Sacriledge*, *Sacriledge*; and by those, many times, that *do not*, or *will not* know what Sacriledge is.

Nay, I have heard some Men speak great Words against the King and Parliament in *Hen.* 8. time, and against all Parliaments ever since, that Alienated or consent to Alienate these Abbey-Lands and Nunneries, as if they would smite them with this Thunder-bolt of Excommunication, (as guilty of Sacriledge) if they durst.

It was as safe for *Naboth* and his Vineyard to lye conveniently and next Hedge to *Ahab*'s, as sometimes to have had Lands bordering upon St. *Peter*'s Patrimony: why so? what can't St. *Peter* or his Pretended Successors do?

Oh! this Religion, this Engine of pretended Religion, this Dart of Excommunication, when 'tis out of the Magistrates keeping, shall wound and mawl them wonderfully: Ask the Excommunicated *Venetians*, (when *Dandalus* their Ambassador came with a Rope about his Neck to beg their Peace) ask the poor *Duke of Ferrara*, if this be true.

Let the King Command a *Bishop*, or a *Woolsey* to his Allegiance, They will be his Humble Servants with a *Salvo honore Dei*; And say others, *in omnibus nisi rebus Christi*; so that these kind of Religious Bigots always keep in Reserve a Starting-Hole, a Loop-Hole, a Sally-Port always ready and open (when their Forces and occasion calls) to Attempt against the King's Supremacy, especially when their Humours are cros't, or their Pride Affronted, or their Revenge unappeas'd, or their Covetousness unglutted; And 'tis a hard matter to Glut it.

The Popish Religious Houses had once a third part of the Land, and were they Glutted? Bishops and Arch-Deacons have enough to live on without sharing with and pareing every Benefice in the Diocess; yet though they know not how they came honestly and lawfully by their Procurations, Synodals and Visitations; though it be against Law, Conscience and Compassion, for the Rich thus to pinch the Poor; yet take it from them, And 'tis a hundred to one, if they do not plead *Jure Divino* for the Tenure, and cry out Sacriledge, Sacriledge.

Of the Church of England.

Quere, *What it is?*

THere's nothing more ordinary than for People to say, (in these days of Part-taking and distinguishing who Men are for?) *I am for the Church of* England: Whereas there is not one of a Thousand understands what he means, or who he means, in saying so.

In the Days of Popish Prelacy, Men were Taught to believe as the Church believes; (meaning) as the Clergy believes: So that, for Salvation, they needed no further Knowledge or Insight than a blind Implicite Faith in the Church, (that is) in the Clergy.

To see with Clergy-mens Eyes, to believe as they pleas'd to prescribe, to be led thus by the Nose to Heaven, was the Divinity of Old; And so a Man did but follow his Nose in the dark, no matter for Eyes: The Arch-Deacons, (those *oculi Episcoporum*) together with the Bishops, they could see and *Inquisit* and Oversee for us all; 'till at last, the Church had no other Members but Head and Eyes: a monstrous Church, sure.

And though the Holy Apostles and Elders had as good Eyes, one would think, as these Pretenders and pretended Successors, yet they never had the Forehead (that those Men put on) who confine and Monopolize the Church of Christ to themselves alone, and make Canons and Laws by themselves alone, as if they alone were the Church.

Thus when *Magna Charta* says, That Holy Church should be free; They always meant; and it is so construed at this Day. —— Let the Clergy be free —— (from Taxes, Impositions, &c.) So that by the Church of *England*, is meant the Clergy of *England*: A little Church then (surely) in so great a Realm, and a great pity that so many Lay-Brethren should dye out of the Pale of the Church.

And yet the Dignitaries of the Church, (not content to be onely amongst the Crowd of other Clergy-men the Church) streighten the Bounds, and take in the Pale to more scanty Limits, making themselves when in Synod especially and Convocation, (at least) the Representative-Church; and of power to see for all the rest, and to bind them to what Decrees and Laws they list. Thus the Articles of Religion, *Regn. Eliz. Anno Domini* 1562. *Articuli de quibus convenit, &c.* Articles agreed upon in the Synod of *London* By and Between the Arch-Bishops and Bishops of Both Provinces, and all the Clergy. What little share the Inferiour Clergy have in making such Articles, I have shown already; and also that 1 *Eliz.* 1. is repealed; on which those Articles seem to be founded.

Which yet I say not, to weaken the force and vertue of them; they are so good, so moderate, so charitable, so Christian-like in themselves, that they need no voucher, no Statutes to vouch them, they are so honestly come by.

For,

For, Pride and Paſſion, Prejudice and Peeviſhneſs, Malice and Revenge (the wonted Inmates) were excluded the Convocation-Houſe, when thoſe 39. Articles of the Church of *England* were compoſed, and nothing but the Naked-Truth permitted entrance. 'Tis ſtrange, you'l ſay, and in a Synod too, compos'd of Clergy-men; and of the few too, (But I care not for that) once it happened to be ſo, it ſeems.

But ſtill I ſay, (under favour) The Holy Apoſtles never took ſo much upon them to make Canons and Conſtitutions, but *by aſſent and conſent*, (as well as joint Promulgation *in the names*) of *all the Lay-Brethren*; or when the multitudes of Diſciples were aſſembled, at leaſt, they might, I hope, *have a voice* in chuſing who ſhould repreſent them in this repreſentative Church.

Which if true, (and It is before ſufficiently prov'd) then ſurely, as the Church of *Corinth, Epheſus, Galatia*, &c. were the *Chriſtians of Corinth, Epheſus, Galatia*, &c. Clergy and Lay together, (though thoſe diſtinctions were not then known;) ſo really and truly, *The Church of England are all the Chriſtian's of England*; over them, under Chriſt, the King is the Viſible Head and Supreme Governour in the Executive power, and the King and Parliament in the Legiſlative or Canon-making Power.

With what tollerable modeſty then can the Clergy alone, (much leſs a few of them) arrogate to themſelves the Title, Priviledges and Immunities of the Church of *England*? Tell not me that it was ſo when the Pope uſurp't the Supremacy, what is that to us now?

I know that when *Magna Charta* was made; by *Holy Church being Free*, (was meant) *Let the Clergy be free*, from Taxes, &c. but how little did the Prelates value that Law? for though the Clergy (*by that Statute*) was free from Impoſitions and Burdens, yet the Prelates did not ſo much regard it ſeems, but that they notwithſtanding would venture to Pill and Poll the Inferiour Clergy, by Procurations, Synodal's, Viſitations and many more vexations, as if the Clergy was free (for no body) to fleece but for themſelves alone, and that too, arbitrarily.

Better it is for them, much better, to be thrown up in Common (as of yore) amongſt the Laity again, and take Neighbour's-fare, by Acts of Parliament; than by being an Incloſure and exempt, be made the peculiar of arbitrary-Impoſitions, (though by the men of their own Cloth;) none were ſo unkind to *Joſeph* as his own Brethren, he had fairer Quarters from the Gypſees.

As the Clergy (all of them) have *as much* His Majeſties *Protection* as other folk, and the benefit of the Laws, nay, and the benefit of the Clergy too (if they need it) *as much* as any Lay-men; good reaſon therefore they ſhould contribute *equally with others* to Taxes, and Arms, and to the Poor, &c. But 'tis ſad when this will not ſuffice; but for enjoying the name (and nothing but the name) of the Church. They ſhall not only pay Firſt-Fruits, and Tenths to His Majeſty, as bound by Law; but to pay without end, and without Law, all the Arbitrary Impoſitions that Rich and great Men of their own Cloth ſhall lay upon them (for Letters of orders, Inſtitution, Induction, Licences to Preach, Procurations, Synodals, Viſitations; and then again for ſhewing theſe Letters of Orders, Inſtitutions, &c.) 'tis that makes you ſo poor and beggarly (generally) and conſequently contemptible, world without end.

I cannot but with ſome complacency read the Statute of 16. *Rich.* 2. 5. where the King and Parliament (when Popery was in its *Zenith*) did not forget, that they and the Clergy, the Inferiour Clergy too, were *Engliſh-men*; namely, That,

'*Whereas the Commons of the Realm in this preſent Parliament have ſhewed to our* 'redoubted *Lord the King, grievouſly complaining, That whereas our ſaid Lord the King,* 'and *all his Liege People ought of right*, (mark that) *and of Old time wont* (mark that 'too) *to ſue in the King's Court, to recover their Preſentments to Churches, Prebends and* 'other *Benefices of Holy Church, to the which they had right to Preſent; The cognizance* 'of *Plea of which Preſentment belongeth only* (mark that too) *to the Kings Court of the* 'old *Right of his Crown, uſed and approved in the time of all his Progenitors Kings of* 'England;

'*And when Judgments ſhall be given in the ſame Court upon ſuch a Plea and Pre-* 'ſentment, (mark that too) *The Arch-Biſhops and Biſhops, and other Spiritual Perſons* 'which *have Inſtitution of ſuch Benefices, within their Juriſdiction, be bound* (mark that 'too) *and have made Execution of ſuch Judgments, without Interruption* (mark the 'Reaſon) *for another Lay-Perſon cannot make ſuch Execution; And alſo be bound of right* '(mark that too) *to make Execution of many other the King's Commandments*, &c. (too 'long here to inſert) *but concluding, That againſt the offenders Proceſs by* Præmunire 'facias) *ſhould be made, and not only againſt the offenders, but againſt their Procurators,* 'Executors, *Maintainers*, (mark that too) *as in the Statute of* Proviſors, 27 *Edw.* 3. 1. 'and *againſt All other which do ſue in any other Court* (mark that too) *in derogation of* 'the *Regality of our Lord the King.*

Whence it appears, That even in those Popish times, Patrons, (*most whereof were Lord of the Manour, and gave the Tythes and Glebe*) should *present* (right and good reason) and *give their own*, (may they not do what they will with their own?) to what Clerk they please, giving him thereby *Jus ad rem*, and then the Bishop and Archdeacons by Institution and Induction as Instruments in Law, because a *Lay-person* (as the Sheriffs, *&c.*) cannot (as the Law then was, and now is) *make such Execution*, and give the Clerks presented *Jus in Re*, or possession.

And if a Bishop or Arch-deacon (for they are but men) do refuse the same wantonly or through prejudice, or design, for a Kingsman or a Friend of his own when modestly requested by the Clerk presented, and will not admit him *habilem*; then the Law has provided a Writ called *Quare Impedit*, to force him to shew a Lawful cause in the Kings-Courts, and by them approved, or otherwise to force the Bishop to make Execution according to the Patrons Presentment.

Thus we see in Times of greatest Popery, our Ancestors did assert their own Proprieties against Arbitrary Proceedings of Men that call'd themselves — the Church — the Church.

He give but one Instance more, to show what little pretence *the Clergy alone* have to entitle themselves alone *the Church Representative* of *England*, (distinct from the Lay-Brethren) and that is in making a Canon *to Cringe to the East*, and Bow at the Name of *Jesus*.

Obj. How now? will some say, Of all instances you might have forborn this; For can any good Christian do too much Reverence to the Name of *Jesus*? We now know what you would be at; for does not the Apostle say, that *at the name of Jesus every knee shall bow*, &c. this might have been let alone.

Ans. But, I will not let it go so; yet must acknowledge readily and chearfully, That there is *no other Name under Heaven by which we can be saved, nor any other name* (except that of God and *Jehovah*!) that deserves more signal Reverence.

And yet, notwithstanding, *Bernardus non videt omnia*, nor the Church, the Church (I mean the Clergy) in her *Placet's*, always rational, much less, Infallible.

Phil. 2. 10, 11. The words in *Phil.* 2. 10, 11. are — *That at the Name of Jesus every knee* (not every head) *should bow, of things in Heaven*, (therefore not litterally to be understood, for there is no knees there to bow,) and *things in Earth, and things under the Earth*; (there is no knees there neither, except *those in Purgatory*, and they are too senceless, at least too still to bow,) *and that every tongue should confess that Jesus Christ is Lord*; Therefore such as take the words litterally, ought at the same time that they bow the head or knee, to use also their Tongues, and confess at the same time, that *Jesus Christ is Lord*.

But, (I say) in obedience to this Holy Scripture, (or rather, some Clergy-men's Commentators upon Men, at this day,) at the Name of *Jesus*, bow their heads, not their knees; yet the Text speaks not one word of that; nay, *in all discourse*, as well as in the Church, men that understand it in the litteral sence, ought to bow the knee, (*and not drop the head*) and also at the same time they ought with their Tongues confess — *That Jesus Christ is Lord*.

Thus when we hear a Common-Swearer 100 times in an hour swear — *by Jesus* — as is usual and often; we ought (by this Interpretation) to make a Leg every time, and with our Tongues *Confess* to him and cry out — *Jesus Christ is Lord*.

But much was the wisedom, for want of comparing the Words with the Context. For by the Name of *Jesus* (there) is understood the Power and Soveraignty of *Jesus*, to which *God hath highly Exalted him* (not those 4. or 5. Letters, but a Power) *above every Name* (that is, above every Creature, or above all created Powers) *whether in Heaven or in Earth, or under the Earth, that every knee should bow this knee to him*, (that is,) adore him.

So *Prov.* 18. 10. *The Name of the Lord is a strong Tower*; not the Letters *Jehovah*, or *Jah*) is a strong Tower, or the sound and noise of those words, but — *The Power of the Lord is a strong Tower, the righteous run unto it, and are safe*; not into the Letters or sound of the Name.

Yet, notwithstanding, if any man will show Reverence at the Name of *Jesus*, I am not offended, To be shew as much Reverence at the Name of God, and at the Name of the Holy Ghost.

It is a hard and harsh saying of some, and borders upon Blasphemy, *to make distinctions* in the Holy Trinity; as if we were *more* beholden to the Second Person of the Holy Trinity, than to the First, or Third Person; *This Grave* — to make a difference in Reverencing The Trinity in Unity, and Unity in Trinity.

But in this Instance, I only show, that the Clergy, the Clergy, (much less — a few of the Clergy because Higher and Taller,) have shown no Charter hitherto, nor reason to have such a Charter granted to them to be (without the Laity) The Church, *The Church of England*.

The whole Oecumenical Council of *Nice* had erred shamefully but for one single ey'd man, *Eustathius*. And it is pretty reading in the Council of *Trent*, to see how at a loss the Fathers were for a Resolution, 'till Post-Night; 'till the Packet return'd from *Rome* (one said with their Holy Ghost in a Cloak-bagg); so that the next day after the Post came in, People repair'd to the Counsel-House for News, and to know how Squares would go; as

men

then the *view* to a Country Coffee-house on a Post-night to know *how* things go above.

But is it not strange Impudence, Atheism, and Effrontery thus to take Gods holy Name and Spirit in vain, by making the Holy Ghost father all our Effapex and By-blows, adulterately begotten by Self-interest, Pride, Passion, Revenge, crafty Fetches, covetous designs, (whether the *French* or the *Spanish* interest carry it, still The stile is—— *It seemed good to the Holy Ghost and to us*——) God forgive them.

And this is the Church—— The Church, (that is,) the Clergy, the Clergy; or rather the Few, the Few; the least in number (I will not say, I cannot say) the worst of the number, nay the idlest of the number.

But add to them Lay-Chancellors, or Vicar-Generals, Sumners, Registers, &c. To make up this Church, the Church of *England*— And you make them *worse and worse*.

I look upon the Church of *England* as the greatest Bull-Work against Popery; what? This latter sort of men? are they such a Bull-work? no, the Protestant Laws of *England* embodied with the Fundamental-Laws of the Realm; Ruine one, and you ruine the other; for they must live and die together.

Thus have I evidenced, that the *Laity* (in the Apostles times) were *the Church*, and as much Canon-makers and Rule-makers, and had the conduct of the infallible Spirit and gifts of the Holy Ghost, as well as the Apostles; and therefore certainly the Christian People (as well as the Clergy) of *England*, are the Church of *England*.

Nay, in *Hen.* 3. time, when the Popish Prelates were most Rampant, and Othobon the Pope's Nuncio had almost Beggar'd their King, keeping him poor, and doing what he list with him; yet when they were to be excommunicated that infringed *Magna Charta*, The Clergy, (nor the Synod) did not make it, but the King, and Parliament in the Statute.

Rex omnibus Quibus Dominus H. Rex Angliæ &c. R. Comes Marsh. & Marescallus Anglia, H. comes Hereford, & Essex, I. comes de Warenna, Petrus de Sabaudia, Camerarius Regine Angliæ, confirmant in totum Excommunicationem quam dicit Archiepiscopus Cantuariæ, & alii Angliæ Regni Regis Praedicti, in libr. suo Quod omnes Professi sententiam ligentur omnes venientes contra libertates contentas in Chartis communibus libertatibus Angliæ, & de Foresta, &c. Dominus Rex & praedicti Magnates omnes, & Communitas Populi praestiterunt juramentum, &c. by *Communitas Populi*, there I understand the Knights of Counties, though it had not the form in those days which now it puts on and daintily wears.

Anno 37. Regis

By which it appears, that the King and his Lay-people would not evil the Clergy in those days with making Sentences of excommunication, nor with declaring Causes of Excommunication; much less without the Privity of King and Parliament, as some have presumed. But matchless is the Malice of those men that are angry with all Lay-men that dare be so bold as to see their own way with their own (and not with Clergy) eyes, and Prospectives.

The Conclusion.

THus have I *shewed these Queries*, so needful to be diffus'd, *And prov'd*, That all *Ecclesiastical Jurisdiction* (like all other Jurisdictions) must be derived from the *King* or the *Pope*; To assert the latter, Incurs a *Præmunire*, or to pretend any old ordinary Jurisdiction originally granted them from the Pope in their first creation; and his Majesty has obliged himself never to Empower them by Commission any more.

By the Statutes of *Hen.* 8. all those Ordinary Jurisdictions Ecclesiastical were cut off, and they (but) without any in Queen *Maries* time, as the Synod did confess (*Anno* 1562.) But in King *Edward's* time their Ecclesiastical Proceedings were revived, but with condition, that all Citations, Processes, &c. should be in the Name of the King the Head of the Church, (as in Original and Judicial Writs at the Common Law,) He being also Head of the State. And in due acknowledgment also of this Supremacy, The Seals of their Spiritual-Courts should have engraven in them, The Kings Arms.

Great, very great Reason there is (and there was) for such a Statute as that, 1 *Edw.* 6. But oh! this Hierarchy! this Power! how sweet? could the Bishops ever be brought to this? I'le warrant some of them would keep no Courts at all first: but who cares?

For, *cui bono? cui fini?* should be the question every man puts in all his affairs; so here, *cui bono? cui fini?* what are the Spiritual Courts *good for* at this day as they are manged?

I protest, *I cannot tell*, and yet no man in *England* has more reason to know their use than I, for I have had too frequent experience of them, and in them, and still (as I said before) I have an Ecclesiastical Jurisdiction of mine own.

For except a *little money* (I should say) a *great deal of money*, (*ungodly money* wickedly got) by the *Extortions of Registers*, (I'le prove what I say) and shamefully against Law; and money, money, from the poor Clergy, the Inferiour Clergy, and silly Churchwardens, against the Common-Law, Statute-Law, Canon-Law, Civil-Law, Equity, Conscience, Reason and Humane Compassion, all condemning this unnatural and Unkind Rapacity. Except these be good things, I know not what they are good for; not by *what Authority they dare send out*

Citizens without the King's Name, Title, and Seal, against the King's Lawful Power, as have a Writ de Excommunicato Capiendo can legally be awarded, (the ground whereof being a Royal Power under Seal, signified) unless the King's Arms be engraven on the Seal of the Corporation, and the Charter whereon it is founded, also run in the King's Name, &c.

I did not say, (for I know it) That the opinion of the Judges was ask'd about this or the said Proclamation; But *how was it?* It was when the High-Commission-Court [illegible] an Act made *Anno* [illegible] any thing in those days against *their Power*, it would [illegible] &c. (as did) But now since that Statute of 1 *Eliz.* 1. is repealed, I put my part, [illegible] what Authority we do these things: And I write this, as much for my own [illegible]

And that you in a discourse here (such as it is) neither Polite nor neatly dress'd; [illegible] Will not Leisure to write it over again, and flesh it, and polish it, and make it [illegible] see now more natural, most like my self, (plain and blunt) not curious, nor affected, (like any Coxcomb Richmond yet I hope, not Sidrenly. Tis I (am one of those that) [illegible] Pleasure and Humour so much, as not to take over-much pains to please or displease [illegible] However, what Prudent Man would *barter his Ease*, to purchase (in Exchange) *the Love* [illegible] A Writer (not much one for thing) *in this Scribling Age.*

The New Books are like New-Playes wherewith the Poets and Actors [illegible] Once in Vain: And though the Fops get there *all the first Week*, they have got they will rail [illegible] disparage them, but cannot (notwithstanding) forbear seeing them for their [illegible] I write (as I speak) right on, and the Naked Truth, and Home Truths; [illegible] letting the rest of Fools and Dissemblers, *Follow of course.*

And so I have [illegible] and what came next to hand, and [illegible] (as I profess) without [illegible] but not ever would have flipt my Pen, [illegible] and [illegible] Head and Heart have long been full of [illegible] Love, I hope.

[illegible] Well and a [illegible]

[illegible] Love Heart: And is there any but *Asses and Fools* that will be [illegible] up with a *Stage-Coat* or *Maggot-Pye?*

FINIS.

I Hereby allow and authorize *Francis Smith* Book-seller, to Print my Book, Entituled, *The Naked Truth*, the Second Part.

Colchester, Novemb. 23. 1680. *Edmund Haverngill.*